

Title 8
HEALTH AND SANITATION*

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CROSS REFERENCE:

For provisions of surface and ground water quality see Chapter 9.12.

*[Health Department, see Ch. 2.24

Travel Certificates issued by Department of Health, see Ch. 2.24.]

Chapter 8.04 DEFINITIONS

Sections:

- 8.04.010 Application in interpretation.
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- 8.04.110 Garbage.

8.04.010 Application in interpretation. For the purpose of Chapters 8.12 - 8.36 the words defined in this chapter shall be held and construed to have the meaning herein set forth. (Res. 585 Regulation 18 Part, 1920).

8.04.020 Bakery. "Bakery" means any place used for producing, mixing, compounding or baking, for sale or use in any restaurant, bake shop, hotel or other place, any bread, cakes, pies, biscuits, crackers, rolls, macaroni, or other food products of which flour or meal is the principal ingredient. (Res. 585 Regulation 18 part, 1920).

8.04.030 Restaurant or kitchen. "Restaurant" or "kitchen" means any place where for pay, persons are served with food or furnished with table board, or where food is cooked or prepared for serving to the public as food, excepting, however, private homes in which table board is served. (Res. 585 Regulation 18 part, 1920).

8.04.040 Confectionery. "Confectionery" means any place where candies, confections or sweet meats are sold or offered for sale. (Res. 585 Regulation 18 part, 1920).

8.04.050 Candy-kitchen. "Candy-kitchen" means any place where candy, confectionery or sweet meats are manufactured, prepared or concocted for public consumption. (Res. 585 Regulation 18 part, 1920).

8.04.060 Basement. "Basement" means a lower story of any building which is less than one-half of its height below the grade of the street or streets on which it faces, or of the general level of the ground. (Res. 585 Regulation 18 part, 1920).

8.04.070 Cellar. "Cellar" means a lower story of a building which is more than one-half its height below the grade of the street or streets on which it faces. (Res. 585 Regulation 18 part, 1920).

8.04.080 Person - Singular words - Masculine words. "Person" includes and means the words person, firm, society, association, copartnership, corporation or individual. The singular shall be construed to mean and include the plural, and the masculine the feminine. (Res. 585 Regulation 18 part, 1920).

8.04.090 County health officer. "County health officer" includes and means the county health officer and his deputies, sanitary officers, inspectors and visiting nurses. (Res. 585 Regulation 18 part, 1920).

8.04.100 Standard disinfectal solution and standard disinfectant. "Standard disinfectal solution" or "standard disinfectant" when referred to in these rules and regulations means a non-corrosive, cresole, phenol and analogous compound, which is of uniform material at thirty-two degrees Fahrenheit, dilutes with water, forms a practically perfect emulsion or solution, has a phenol co-efficient according to the latest method of the U. S. Hygienic Laboratory of not less than two and brings about the destruction of the infected power of an infectious material and bacteria in general, and more particularly those that act as the exciting causes of diseases. (Res. 585 Regulation 18 part, 1920).

8.04.110 Garbage. The word "garbage" means solids and liquids arising from the cooking or treatment of vegetables, fruit, fish, meats, or any waste material that would attend the preparation, use, cooking or storing of household provisions. (Res. 585 Regulation 9(A), 1920).

Chapter 8.08 AIR POLLUTION¹

Sections:

- 8.08.010 Definitions.
- 8.08.020 Joint air pollution control advisory board.
- 8.08.030 Membership.
- 8.08.040 Organization.
- 8.08.050 Duties.
- 8.08.060 Smoke.
- 8.08.070 Opacity of smoke emissions.
- 8.08.080 Dust from fuel burning equipment.
- 8.08.090 Dust from heat processing equipment and other sources.
- 8.08.100 Traceable dust generally.
- 8.08.110 Enforcement.
- 8.08.120 Notice.
- 8.08.130 Hearing.
- 8.08.140 After hearing.
- 8.08.150 Posting and sealing.
- 8.08.160 Unlawful use.
- 8.08.170 Outdoor fire control.
- 8.08.180 Regulations on prior permits.
- 8.08.190 Penalty for violation.

¹. [For provisions of the Washington Clean Air Act, see RCW 70.94.]

8.08.010 Definitions. Certain words and terms used in this chapter unless clearly inconsistent with their context, shall mean as follows:

A. "Agricultural operation" means the growing of crops, the raising of fowl, animals or bees, as gainful occupation.

B. "Air contaminant" means any airborne solid, liquid, or gaseous matter, except air or uncombined water.

C. "Air pollution" means the placing or presence in the air of air contaminants.

D. "Dust" means an air contaminant consisting of solid particles, capable of being airborne.

E. "Fire chief" means the King County fire marshal; chief of King County fire protection district; or his authorized representative and authorized forestry officials from Washington State Department of Natural Resources.

F. "Health officer" means the director of Public Health of King County or his authorized representative.

G. "Heat processing equipment" means industrial furnaces or comparable devices, the principal purpose of which is the processing of material through the use of heat.

H. "Process weight per hour" means the total weight of any material, except liquid or gaseous fuel or uncombined water, introduced into any process in one hour; or, for cyclical processes, the total weight of any such matter introduced into any process during one complete cycle of operation of such process, divided by the number of hours of such cycle.

I. "Smoke" means air contaminant consisting of a visible airborne concentration of combustion produced solid particles and other matter. (Res. 31101 § 1, 1965).

8.08.020 Joint air pollution control advisory board. There shall be a joint air pollution control advisory board appointed as follows:

By the mayor of Seattle with confirmation by the Seattle city council:

Two representatives of the general public;

One representative from industry;

One representative from the University of Washington;

One representative from professional engineers association.

By the board of King County council:

Two representatives from the general public;

One representative from the agriculture;

One representative from industry;

One representative from the King County medical association.

The ex officio members shall consist of:

Director of public health;

Chairman of the King County Council;

Chairman of the public safety committee, Seattle city council;

Superintendent of buildings, city of Seattle;

Supervisor of building permits and inspection, King County;

King County fire marshal;

Seattle fire chief.

(Res. 31101 § 2, 1965).

8.08.030 Membership. Members of the joint air pollution control advisory board, other than ex officio, shall be appointed by the mayor of Seattle with confirmation by the Seattle city council, and the King County Council as specified in Section 8.08.020, and vacancies among such members shall be filled in the same manner. Upon naming of the members of the first board, two members appointed by the mayor of Seattle, with confirmation by the Seattle city council, shall be designated with terms ending December 31, 1966; two members appointed by the King County Council shall be designated with terms ending December 31, 1966; three members appointed by the Mayor of Seattle, with confirmation by the Seattle city council shall be designated with terms ending December 31, 1967; three members appointed by the King County Council shall be designated with terms ending December 31, 1967; thereafter such members shall be appointed for a term of two years ending December 31st of the second year of the term. (Res. 31101 § 3, 1965).

8.08.040 Organization. The air pollution control advisory board shall elect a chairman, who shall serve at the pleasure of the members. Such board may adopt rules of procedure and shall meet on call, subject to timely notice. (Res. 31101 § 4, 1965).

8.08.050 Duties. The air pollution control advisory board shall advise on the control of air pollution and the administration of air pollution regulations and shall advise on practical means of measuring and controlling emissions of specific air contaminants. Such board may hold hearings and make recommendations, and shall act in an advisory capacity only. (Res. 31101 § 5, 1965).

8.08.060 Smoke. It is unlawful to cause, suffer or allow emissions of smoke from any source other than heat processing equipment, the capacity of which is equal to or more than forty percent, except as follows:

- A. For a total of not more than four minutes in any sixty minutes, when it shall be sixty percent or less.
- B. When building a new fire, for a total of not more than twelve minutes in any sixty minutes, when it shall be sixty percent or less.
- C. Temporarily, due to breakdown of equipment, and provided that repairs are promptly made.
- D. During a time for compliance with this resolution fixed by the health officer as provided herein. (Res. 31101 § 6, 1965).

8.08.070 Opacity of smoke emissions. The percent of opacity of emissions of smoke shall be measured by methods equivalent to those set forth in Information Circular 7718 "Ringelmann Smoke Chart", edition of August, 1955, published by the United States Bureau of Mines, a copy of which is filed with the health officer. (Res. 31101 § 7, 1965).

8.08.080 Dust from fuel burning equipment. It is unlawful cause, suffer, or allow emissions of effluent from any fuel burning equipment, the dust content of which is more than eighty-five hundredths pounds of dust per one thousand pounds of effluent, adjusted to fifty percent excess air for products of combustion, except as follows:

- A. Where the dust content of the effluent is controlled through the use of dust separating equipment and provided that such equipment shall collect seventy-five percent, if installed prior to the effective date of the resolution codified in this chapter, or eighty-five percent if thereafter installed, of all dust in the effluent from the fuel burning equipment.
- B. Temporarily, due to breakdown of equipment, and provided that repairs are promptly made.
- C. During a time for compliance with this resolution fixed by the health officer as provided herein. (Res. 31101 § 8, 1965).

8.08.090 Dust from heat processing equipment and other sources. It is unlawful to cause, suffer or allow emissions of dust from any heat processing equipment or from milling, grinding, or handling of any material in quantities exceeding that set forth in the following table, except as follows:

A. Where the processing equipment has been installed prior to the effective date of this resolution; and where emissions of dust are in excess of those set forth in said table but are controlled through the use of dust separating equipment, provided, that such dust separating equipment shall collect not less than ninety-eight and two-tenths percent of all dust in the effluent from the process.

B. Temporarily, due to breakdown of equipment, and provided that repairs are promptly made.

C. During a time for compliance with this resolution fixed by the health officer as provided herein.

D. Tables:

Process Weight Per Hour (Pounds)	Maximum Allowable Dust Emission Per Hour (Pounds)
100	0.60
1,000	2.95
2,000	4.75
3,000	6.35
4,000	8.00
5,000	9.65
6,000	11.30
7,000	12.90
8,000	14.30
9,000	15.50
10,000	16.65
12,000	18.70
14,000	20.40
16,000	21.60
18,000	22.80
20,000	24.00
25,000	27.40
30,000	30.90
40,000	37.00
50,000	42.50
60,000	48.00
70,000	52.50
100,000	75.00
150,000	112.50
200,000	150.00
250,000	187.50
300,000	225.00

Where the process weight per hour is between two listed figures, such process weight and maximum allowance dust emission per hour shall be interpolated accordingly. (Res. 31101 § 9, 1965).

8.08.100 Traceable dust generally. It is unlawful for any one to cause, suffer or allow the discharge of dust particles which become deposited upon the real property of others, and which are of such size and nature as to be readily recognizable and traceable to their source, except as follows:

- A. Dust as specified and when regulated as set forth in Sections 8.08.080 and 8.08.090.
- B. Temporarily, due to breakdown of equipment, and provided that repairs are promptly made.
- C. During a time for compliance with this chapter fixed by the health officer as provided herein.

(Res. 31101 § 10, 1965).

8.08.110 Enforcement. The health officer shall enforce this chapter and may adopt rules and regulations pursuant thereto; he may enter any building or premises at any reasonable time to perform any of the duties imposed on him by this chapter, and he shall inspect any premises which he may reasonably believe to be a source of air pollution. (Res. 31101 § 11, 1965).

8.08.120 Notice. If the health officer finds a violation of this chapter, he shall give particular written notice, by mail or by posting the premises, to the owner or operator of the equipment or premises the source thereof, to comply with this chapter within a reasonable time by him fixed. (Res. 31101 § 12, 1965).

8.08.130 Hearing. The owner or operator of the equipment or premises concerned may request a hearing before the health officer and the air pollution control advisory board within ten days after the date of notice of a finding by the health officer that a violation of the chapter exists, or not less than thirty days before expiration of a time for compliance with this chapter fixed by the health officer as provided herein, and, within a reasonable time, such hearing shall be held. (Res. 31101 § 13, 1965).

8.08.140 After hearing. After a hearing as provided in this chapter, the health officer may find that a condition such as to cause violation of this chapter no longer exists, or he may reaffirm his finding of a violation of this chapter, and he may or may not grant an extension of time for compliance herewith; but he shall do so within ten days after date of such hearing. (Res. 31101 § 14, 1965).

8.08.150 Posting and sealing. If, upon expiration of all time for compliance with this chapter fixed as provided herein, the health officer shall find that a violation of this chapter exists, he shall so notify the owner or operator, and if, ten days after date of such notice, the condition yet exists, he shall designate the equipment or premises the source thereof, by affixing his seal, posting a notice, or otherwise, as unlawful to operate or occupy until such time as this chapter may be complied with; provided, that within said ten days, the owner or operators of such equipment or premises may appeal to the King County Council from the finding of the health officer, and the Council shall hold a hearing on such appeal, and may affirm, reverse or modify the finding of the health officer; and pending a decision by the Council on said appeal, the health officer shall take no action to designate such equipment or premises as unlawful to operate or occupy. (Res. 31101 § 15, 1965).

8.08.160 Unlawful use. It is unlawful to operate any equipment, or to occupy any premises, designated as unlawful to operate or occupy by the health officer as provided for in this chapter, except upon his written authority so to do. (Res. 31101 § 16, 1965).

8.08.170 Outdoor fire control. It is unlawful to cause or allow any outdoor fire except the following;

- A. Fires for pleasure, religious, ceremonial, cooking or like social purposes.
- B. Fires from flames, torches, waste gas burners, incense burners and insect pots.
- C. A fire authorized by the fire chief for the prevention of a fire hazard, provided no alternate means of prevention is reasonably available.
- D. A fire authorized by the fire chief for the disposal of dangerous materials, provided no alternate means of disposal is reasonably available.
- E. A fire authorized by the fire chief for instruction in the method of fighting fires.
- F. A fire for the disposal of waste material, provided, the person responsible for such fire shall have certified to the health officer that such fire will be controlled so as to minimize air pollution; the health officer shall have approved thereof, and a permit therefore shall have been issued by the fire chief.
- G. Agricultural operations in the growing or harvesting of crops and the raising of fowl or animals; fires set for the disposal of waste material incident to the construction or clearance of roads and/or right-of-ways; and slash burning for fire prevention, forest and soil conservation and related purposes will be exempted until such time as specific air pollution hazards may have been determined to arise from such operations and upon the recommendation of the health officer to establish regulations deemed necessary.
- H. Fires set for the purpose of disposal of waste materials created as an incidence to the clearance and development of land for subdivisions or building preparations; provided, the person responsible for such fire shall have certified to the health officer that such fire will be controlled so as to minimize air pollution; the health officer shall have approved thereof, a permit therefor shall have been issued by the fire chief.
- I. The provisions of Sections 8.08.110 through 8.08.140 relating to notice, hearing, posting, etc., shall not apply to violations under this section. (Res. 31101 § 17, 1965).

8.08.180 Regulations on prior permits. Any outdoor fire authorized by a permit issued by the fire chief prior to the effective date of the resolution codified in this chapter shall be subject to regulation pursuant to such permit and existing law, and any conflicting requirements of this chapter shall not apply thereto. (Res. 31101 § 18, 1965).

8.08.190 Penalty for violation. Anyone violating or failing to comply with this chapter upon conviction thereof, shall be deemed guilty of a misdemeanor. Each day that anyone shall continue to violate or fail to comply with this chapter shall be a separate offense. (Res. 31101 § 19, 1965).

(King County 12-94)

**Chapter 8.16
GARBAGE DISPOSAL**

Sections:

- 8.16.010 Type of container required and method of disposal - Type of treatment required before feeding to animals.
- 8.16.020 Leaving manure in certain places prohibited - Limited period given for disposal.

8.16.010 Type of container required and method of disposal - Type of treatment required before feeding to animals. Garbage shall be placed in tight metallic cans, having waterproof covers. When the cans are filled, the contents shall be disposed of in accordance with the garbage code. When garbage is used for food for poultry and hogs, after twenty-four hours it shall be cooked for a period of one hour at a minimum temperature of two hundred and twelve degrees Fahrenheit. No animals killed by accident or which die from disease or any natural cause shall be used as food for persons, poultry or hogs. Garbage from hospitals and sanitariums when used as a food for poultry and hogs shall be boiled at all times in the manner heretofore stated.¹ (Res. 585 Regulation 9(B), 1920).

8.16.020 Leaving manure in certain places prohibited - Limited period given for disposal. No person shall put any manure, debris, garbage or rubbish into any street, alley or other public highway. No person shall permit any manure to remain within one hundred feet of any house, used as a residence, for a longer period than one week, unless such manure is contained in a flyproof receptacle. No person shall maintain a manure pile, compost heap, or other collection of decaying barnyard material in such a condition that it is a breeding place for flies, or gives off offensive odors or drainage. Between the first day of June and the first day of October of each year, collection of stable manure shall either be carried away at least once a week and spread upon the land, or be securely screened from flies, or be treated with substances which will prevent the breeding of flies. (Res. 585 Regulation 10, 1920).

¹[Preparation of restaurant swill for hog food - See 8.32.020 - Statutory provisions - See RCW 16.36. Solid Waste Regulations, see Chap. 10.04.]

**Chapter 8.20
PUBLIC TOILETS**

Sections:

- 8.20.010 Permit required.
- 8.20.020 Renewal of permit - Suspension or revocation.
- 8.20.030 Sanitation and construction requirements.

8.20.010 Permit required. No public toilet or toilets used by guests or patrons of any public place or places of business shall be used or maintained until a permit therefor shall have been secured from the health officer. (Res. 585 Regulation 11 part, 1920).

8.20.020 Renewal of permit - Suspension or revocation. A permit shall be renewed before the first day of January of each year, and may be suspended or revoked at any time for cause. (Res. 585 Regulation 11 part, 1920).

8.20.030 Sanitation and construction requirements. All public toilets shall be sanitary and so constructed that flies cannot come in contact with the toilet contents. All public toilets must be built upon plans submitted to and approved by the health officer. (Res. 585 Regulation 11 part, 1920).

Chapter 8.24
BOARDING HOMES AND SCHOOLS
FOR CHILDREN¹

Sections:

8.24.010 Conditions requiring permit - Maintenance requirements- Quality of food and sleeping quarters.

8.24.010 Conditions requiring permit - Maintenance requirements - Quality of food and sleeping quarters. A. SANITATION. Hereafter, no person shall maintain any institution where more than five children are boarded without first obtaining a permit therefor from the county health officer. Each such institution shall at all times be maintained in a sanitary condition and free from filth and shall be supplied with sanitary toilets. The water supply must be free from contamination. The windows and doors shall be screened against flies.

B. SLEEPING QUARTERS. In each such institution, there shall be at least five hundred cubic feet of sleeping space for each person. The temperature of the rooms shall be between sixty-two degrees Fahrenheit and sixty-eight degrees Fahrenheit with a moisture not above fifty percent relative humidity. There shall not be an excess of six parts of two one thousandths per ten thousand. Sleeping rooms shall be free from excessive dust, bacteria, gases and unpleasant odors.

C. FOOD. Food shall be in the quality, quantity, and proportion as the age of the children demand. Kitchen and storeroom shall at all times be kept in clean and sanitary condition. The establishment shall be open to the inspection of the health department at all reasonable hours. (Res. 585 Regulation 16, 1920).

Chapter 8.28
INDUSTRIAL CAMPS

Sections:

8.28.010 Industrial camp defined.

8.28.020 Permit required - Requirements for issuance of permit.

8.28.010 Industrial camp defined. For the purpose of these regulations, "industrial camps" mean: logging or any like industry; road construction camps; railroad construction camps; hop-picking camps; fruit gathering camps; or any work requiring the maintenance of camps for men or women engaged in such work. (Res. 585 Regulation 17(A), 1920).

8.28.020 Permit required - Requirements for issuance of permit. Hereafter, any person before locating an industrial camp, shall make application to the county health officer on forms supplied by the county health department, for permit to locate the same. If upon investigation, the plans are approved the county health officer shall issue a permit for the establishment of same, subject to the following rules:

A. Camps must be established upon dry, well-drained ground:

¹. [For statutory provisions regarding boarding homes for the aged, see RCW 18.20.]

- B. All natural sink holes or collection of pools of water must be drained and filled when the camp is first established;
- C. Stable and kitchen must be separated by a distance as great as consistent with the natural topography of the land upon which the camp is located, but shall not be less than three hundred feet;
- D. The toilets must be located conveniently to the bunk houses, and as far removed from the kitchen and eating house as may be practical, but shall not be less than one hundred feet;
- E. The use of the toilets provided for the men must be made obligatory, and instant discharge of any employee polluting the soil in the camp must be rigidly enforced;
- F. In camps of one hundred or over, there must be one employee whose principal duty it shall be to act as scavenger and garbage collector;
- G. All manure from the barns must be collected and burned at least once in each week. Instead of burning, the manure may be used as fertilizer on fields not less than one-half mile from the camp;
- H. All toilets in the camp must be made fly-proof. (The county health officer will furnish drawings of inexpensive fly-proof toilets upon request);
- I. Kitchen and eating houses must be effectively screened against flies;
- J. Garbage must be collected in tight cans and burned or buried daily. Garbage may be fed to pigs, provided the pen is located not less than two hundred feet from the cook or eating house, and kept in a sanitary condition;
- K. Tin cans and other non-inflammable refuse must be collected daily and turned over every ten days or buried in a pit;
- L. Food supplies must be carefully screened and thorough and systematic scrubbing of kitchen, eating house and bunk houses must be observed;
- M. The supply of water for the camp must come from an absolutely uncontaminated source, or be chlorinated after the manner approved by the State Board of Health;
- N. Care must be taken not to pollute the water supply of another camp or the water supply of any of the people of King County;
- O. All sick from whatever cause, should be isolated from the remainder of the crew, immediately;
- P. All persons engaged in the care of the premises and handling of the food, particularly cooks and helpers, should be carefully examined and particular attention paid to the point as to whether or not they have suffered from typhoid fever within recent years. (Res. 585 Regulation 17(B), 1920).

Chapter 8.32
HOG AND SLAUGHTER BUSINESS¹

Sections:

- 8.32.010 Conditions requiring hog ranch permit - Renewal date of permit - Requirements for issuance of permit.
- 8.32.020 Grounds for revocation of hog ranch permit - Restaurant swill and slaughter house refuse defined.
- 8.32.030 Permit required for slaughter house business - Renewal date of permit - Requirements for issuance of license.
- 8.32.040 Grounds for revocation of slaughter house permit.
- 8.32.050 Permit required for malodorous businesses - Renewal date of permit - Requirements for issuance of permit.
- 8.32.060 Grounds for revocation of permits.

8.32.010 Conditions requiring hog ranch permit - Renewal date of permit - Requirements for issuance of permit. No person shall have upon any premises more than one brood sow and twelve hogs for sale or other disposition unless and until he shall first have obtained a permit therefor from the county health officer. This permit shall be renewed on or before the first day of April of each year. Such permits shall be issued upon compliance with the following conditions:

- A. All hog or swine ranches shall be located on dry, well drained ground. All natural sink holes or collection of pools of water must be drained and filled.
- B. No pen or other enclosure for hogs or swine for which a permit is required shall be maintained by any person within two hundred feet of an existing dwelling or public meeting place, nor within one thousand feet of any existing public school.
- C. All houses for hogs or swine shall be well drained. The floors, walls, ceilings, partitions, posts, doors and other parts of such structure shall be of such materials, construction and finish as will make them susceptible of being readily and thoroughly cleaned. All floors shall be water tight.
- D. Eating tables or troughs shall be made of cement or concrete.
- E. Dipping places shall be water tight and such materials, construction and finish as will make them susceptible of being readily and thoroughly cleaned.
- F. Cooking vats shall be water tight and of such materials, construction and finish as will make them susceptible of being readily and thoroughly cleaned.
- G. There shall be abundant light and sufficient ventilation for all rooms or compartments to insure sanitary condition. (Res. 736 (part), 1921; Res. 585 Regulation 15(A), 1920).

8.32.020 Grounds for revocation of hog ranch permit - Restaurant swill and slaughter house refuse defined. Any permit issued under the provisions of Section 8.32.010 may be revoked at any time by the county health officer for failure to maintain a hog ranch in compliance with all of the regulations of said section, or for violation of any of the following regulations:

- A. All pens, corrals or houses for hogs or swine shall be kept well drained and free from filth, and in such a condition that flies, rats or vermin cannot breed. All floors of such places shall be cleaned daily. Manure shall be removed from such houses daily and burned or buried, or, when to be used as fertilizer, shall be kept in a fly proof container.
 - B. Eating tables or troughs shall be thoroughly washed and cleaned after each feeding, and shall be disinfected with a standard disinfectant solution at least once a week.
 - C. All hogs or swine shall be dipped in a standard disinfectant solution at least once in two weeks.
- or any liquid or solid containing soap. The words "slaughter house refuse" shall be construed to mean the legs and hoofs of animals free from disease and killed for market purposes.¹ (Res. 736 (part), 1921; Res. 585 Regulation 15(B), 1920).

¹. [Statutory provisions for slaughter business - See RCW 16.48 and 16.65.]

D. No restaurant swill shall be used as food for hogs or swine after fermentation has set in nor in any case when such swill is more than twenty-four hours old unless or until it is cooked for a period of one-half hour at a minimum temperature of two hundred and twelve degrees Fahrenheit. Garbage from hospitals or sanitoriums and slaughter house refuse, when used as food for hogs or swine, shall in all cases be cooked for the time and in the manner above specified. No animals killed by accident or which die from disease or any natural cause shall be used as food for hogs or swine. The words "restaurant swill" when referred to in these regulations shall be considered to mean solids and liquids arising from the cooking or treatment of vegetables, fruits, fish, meats or any waste material which attends the preparation, use, cooking or storing of household provisions. It shall not contain any waste material such as coffee-grounds, egg-shells, dish water or any liquid or solid containing soap. The words "slaughter house refuse" shall be construed to mean the legs and hoofs of animals free from disease and killed for market purposes.¹ (Res. 736 (part), 1921; Res. 585 Regulation 15(B), 1920).

8.32.030 Permit required for slaughter business - Renewal date of permit - Requirements for issuance of license. No person shall engage in the slaughtering of animals for sale as food unless and until he shall have obtained a permit therefor from the county health officer. Such permit shall be renewed on or before the first day of April of each year and shall be issued upon compliance with the following conditions:

A. The outer premises, embracing areas where wagons are loaded, approaches, yards, pens and alleys shall be properly drained and kept in a clean and sanitary condition. All catch basins on the premises shall be of such construction and location, and be given such attention, as will insure their being kept in acceptable condition as regards odors and cleanliness.

B. The floors, walls, ceilings, partitions, posts, doors and other parts of all structures shall be of such materials, construction and finish as will make them susceptible of being readily and thoroughly cleaned. All floors shall be water tight. The rooms and compartments used for edible products shall be separate and distinct from those used for inedible products.

C. Every establishment must have dressing rooms, toilet rooms and urinals, sufficient in number, ample in size, conveniently located, properly ventilated and sanitary in construction and equipment. These shall be separate from the rooms and compartments in which meat and products are prepared, stored or handled. Where both sexes are employed separate facilities shall be provided.

D. There shall be abundant light, both natural and artificial, and sufficient ventilation for all rooms and compartments to insure sanitary conditions.

E. There shall be an efficient drainage and plumbing system for the establishment and premises, and all drains and gutters shall be properly installed with traps and vents.

F. The water supply shall be ample, clean and potable, with adequate facilities for its distribution in the plant. (Res. 736 (part), 1921; Res. 585 Regulation 15(C), 1920).

8.32.040 Grounds for revocation of slaughter house permit. Any permit issued under the provisions of Section 8.32.030 may be revoked at any time by the county health officer for failure to maintain a slaughter house in compliance with all of the regulations of said section, or for violation of any of the following regulations:

¹. [Statutory provisions-See RCW 16.36.]

A. Rooms and compartments in which any meat or product is prepared or handled shall be free from odors from dressing and toilet rooms, catch basins, hide cellars, casing rooms, inedible tank, fertilizer rooms and stables;

B. Lavatory accommodations, including hot and cold water, soap, towels, etc. shall be placed in or near toilet and urinal rooms, and at such other places in the establishment as may be essential to assure cleanliness of any and all persons handling meat or products;

C. Properly located facilities for disinfecting and cleansing utensils and hands of all persons handling any meat or product must be provided;

D. Every practicable precaution shall be taken to keep such establishments free from flies, rats, mice and other vermin. The use of rat poisons is prohibited in rooms or compartments where any unpacked meat or product is stored or handled, but their use is not forbidden in hide cellars, inedible and fertilizing departments, out-buildings and similar places. So-called rat viruses shall not be used in any part of the establishment or premises;

E. Cuspidors of such shape as not readily to be upset, and of such material as to be readily disinfected, shall be placed in all places designated by the health officer, and expectorating elsewhere shall be prohibited;

F. Dogs shall not be admitted into any slaughtering establishment;

G. All equipment and utensils used for preparing, processing and otherwise handling any meat or product shall be of such materials and construction as will make them susceptible of being readily and thoroughly cleaned and which will insure strict cleanliness in the preparation and handling of all meats and products;

H. All rooms, compartments, places, equipment and utensils used for preparing, storing or otherwise handling any meat or product, and all other parts of the establishment shall be kept clean and sanitary;

I. Operations and procedures involving the preparation, storing or handling of any meat or product shall be conducted strictly in a clean and sanitary manner;

J. Butchers and others who dress or handle diseased carcasses or parts shall before handling or dressing other carcasses or parts cleanse their hands of grease immerse them in a disinfectant solution of bichloride of mercury (one to one thousand), and rinse them in clean water. Implements used in dressing diseased carcasses shall be thoroughly cleansed in boiling water or in a standard disinfectant solution, followed by rinsing in clean water. The employees of the establishment who handle any meat or product shall keep their hands clean and in all cases after visiting the toilet rooms or urinals shall wash their hands before handling any meat or product, or any implement used in the preparation of the same;

K. Aprons, frocks and other outer clothing worn by persons who handle any meat or product shall be of material that is readily cleaned and only clean garments shall be worn. Knife scabbards shall be kept clean;

L. Expectorating on whetstones, placing skewers or knives in the mouth, inflating lungs or casings with air from the mouth, or testing with air from the mouth such receptacles as tierces, kegs, casks and the like, containing or intended to contain any meat or product shall be prohibited. Mechanical means only shall be used for testing;

M. The accumulation on the premises of any material in which flies may breed, such as hog hairs, bones, paunch contents or manure is forbidden. No nuisance shall be permitted in any establishment;

N. Wagons or vehicles in which any meat is transported shall be kept in a clean and sanitary condition. Wagons and vehicles used in transporting loose meat and products shall be closed or so covered that contents shall be kept clean;

O. No establishment shall employ, in any department where any meat or product is handled or prepared, any person affected with tuberculosis or other communicable disease. (Res. 736 (part), 1921; Res. 585 Regulation 15(D), 1920).

8.32.050 Permit required for malodorous businesses - Renewal date of permit - Requirements for issuance of permit. No person shall establish, maintain or conduct a soap factory, rendering factory or any business, trade or occupation in which offensive odors are produced until he has obtained a permit therefor from the county health officer. Such permit shall be renewed on or before the first day of April of each year and shall be issued upon compliance with the following conditions:

A. All such places of business shall be located on dry, well-drained ground. All natural sinkholes or collection of pools of water must be drained and filled.

B. The floors, walls, ceilings, partitions, posts, doors and other parts of all structures shall be of such materials, construction and finish as will make them susceptible of being readily and thoroughly cleaned. The floors shall be watertight. All windows and other openings shall be screened.

C. All such establishments shall be equipped with proper system for reducing the odors emanating from such plants to the lowest practicable degree.

D. There shall be abundant light and sufficient ventilation for all rooms and compartments to insure sanitary conditions. There shall be at least one square foot of window space for every four square feet of floor space.

E. There shall be an efficient drainage and plumbing system for the establishment and premises, and all drains and gutters shall be properly installed with traps and vents. (Res. 736(part), 1921; Res. 585 Regulation 15 (E), 1920).

8.32.060 Grounds for revocation of permits. Any permit issued under the foregoing provisions may be revoked at any time by the county health officer for failure to maintain said establishment in compliance with the following regulations:

A. All such establishments must at all times be maintained in a sanitary condition and free from filth and every practicable precaution shall be taken to keep the establishment free from flies, rats, mice and other vermin.

B. The water supply shall be ample, clean and potable, with adequate facilities for its distribution in the establishment. (Res. 736 (part), 1921; Res. 585 Regulation 15(F), 1920).

Chapter 8.36 UNSAFE DWELLINGS

Sections:

- 8.36.010 Use of certain dwellings prohibited - Authority of health officer.
- 8.36.020 Enforcement.

8.36.010 Use of certain dwellings prohibited - Authority of health officer. No house that is in such a dilapidated condition or state of filthiness or uncleanness as to endanger the health or life of any person who occupies it, or that is not furnished with a safe water supply or with proper toilet facilities shall be used for dwelling purposes. The county health officer shall investigate any such dwelling, and, if conditions are found to be dangerous to health or life, shall post a notice upon the house declaring the building unfit for human habitation and order its immediate vacation until the same has been rendered habitable in the judgment of the county health officer. (Res. 585 Regulation 14, 1920).

8.36.020 Enforcement. The director of the Seattle-King County Department of Public Health is authorized to enforce the provisions of this chapter, the resolutions and ordinances codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 2910 § 2 (part), 1976; Res. 585 Regulation 4, 1920).

Chapter 8.38 RODENT CONTROL

Sections:

- 8.38.010 Right of entry for inspection.
- 8.38.020 Adequate protection required.
- 8.38.030 Enforcement.

8.38.010 Right of entry for inspection. All premises shall at all times be kept free from rodents. The director of the Seattle-King County Health Department or his appointed representative shall be permitted access to such premises, in accordance with the procedures of Chapter 23.04, for the purpose of ascertaining the presence of rodents. (Ord. 2910 § 7, 1976).

8.38.020 Adequate protection required. It is unlawful for the owner or occupant of any premises to fail to reconstruct or repair such premises, including residences, for the purpose of preventing rats, mice or other rodents from gaining entrance thereto. It is unlawful for the owner of any food or food products, goods, wares or merchandise in such premises to fail to adequately protect the same to prevent rodents from gaining access to or coming in contact therewith.

If rodents are found to be present, the owner or occupant of the premises shall apply such reasonable measures for the eradication as approved by the director. (Ord. 1946 § 2, 1974).

8.38.030 Enforcement. The director of the Seattle-King County Department of Public Health is authorized to enforce the provisions of this chapter, the resolutions and ordinances codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 2910 § 2(part), 1976).

Chapter 8.40
FOOD SERVICE ESTABLISHMENTS¹

Sections:**I. DEFINITIONS**

8.40.010 Definitions.

II. MAINTENANCE REGULATIONS

- 8.40.020 Food supplies.
- 8.40.030 Food protection.
- 8.40.040 Personnel health and disease control.
- 8.40.050 Cleanliness.
- 8.40.060 Equipment and utensils.
- 8.40.070 Cleanliness of equipment and utensils.
- 8.40.080 Water supply.
- 8.40.090 Sewage disposal.
- 8.40.100 Plumbing.
- 8.40.110 Toilet facilities.
- 8.40.120 Hand-washing facilities.
- 8.40.130 Garbage and rubbish disposal.
- 8.40.140 Vermin control.
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I. DEFINITIONS

8.40.010 Definitions generally. The following words and phrases as used in this chapter shall mean as follows in this section.

¹[For statutory provisions regarding the Washington Food Processing Act, see RCW 69.07; for statutory provisions regarding health and safety regulations for restaurants, see RCW 70.62.110 and 70.62.120; for provisions regarding food and beverage workers' permits, see RCW 69.06.]

A. ADULTERATED. "Adulterated" means the condition of a food 1. If it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health; 2. If it bears or contains any added poisonous or deleterious substance for which no safe tolerance has been established by regulation, or in excess of such tolerance if one has been established; 3. If it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for human consumption; 4. If it has been processed, prepared, packed or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health; 5. If it is in whole or in part the product of a diseased animal, or an animal which has died otherwise than by slaughter; or 6. If its container is composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health.

B. APPROVED. "Approved" means acceptable to the health officer based on his determination as to conformance with appropriate standards and good public health practice.

C. CLOSED. "Closed" means fitted together snugly, leaving no opening large enough to permit the entrance of vermin.

D. CORROSION RESISTANT MATERIAL. "Corrosion resistant material" means a material which maintains its original surface characteristics under prolonged influence of the food, cleaning compounds and sanitizing solutions which may contact it.

E. EASILY CLEANABLE. "Easily cleanable" means readily accessible and of such material and finish, and so fabricated that residue may be completely removed by normal cleaning methods.

F. EMPLOYEE. "Employee" means any person working in a food service establishment who transports food or food containers, who engages in food preparation or service, or who comes in contact with any food utensils or equipment.

G. EQUIPMENT. "Equipment" means all stoves, ranges, hoods, meatblocks, tables, counters, refrigerators, sinks, dishwashing machines, steam-tables, and similar items, other than utensils, used in the operation of a food service establishment.

H. FOOD. "Food" means any raw, cooked, or processed edible substance, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.

I. FOOD CONTACT SURFACES. "Food contact surfaces" means those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces with which food may come in contact and drain back onto surfaces normally in contact with food.

J. FOOD DEMONSTRATION. "Food demonstration" means serving without charge, any sample or small portion of food, drink or food product for consumption within a food service establishment or in an area within a food service establishment where food is not routinely served for consumption on the premises.

K. FOOD PROCESSING ESTABLISHMENT. "Food processing establishment" means a commercial establishment in which food is processed or otherwise prepared and packaged for human consumption.

L. **FOOD SERVICE ESTABLISHMENT.** "Food service establishment" means any fixed or mobile restaurant, coffeeshop; cafeteria; short-order cafe; luncheonette; grill; tearoom; sandwich shop; soda fountain; tavern, bar; cocktail lounge; night club; roadside stand; industrial-feeding establishment; retail grocery; retail food market; retail bakery; private, public, or non-profit organization or institution routinely serving food; catering kitchen; food processing establishment; commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; and any other establishment or operation where food is served or provided for the public with or without charge. Milk establishments governed by other resolutions of the county shall not be included within the provisions of this title.

M. **HEALTH OFFICER.** "Health officer" means the director of Public Health of the county of King or his designated representative.

N. **KITCHENWARE.** "Kitchenware" means all multiuse utensils other than table ware used in the storage, preparation, conveying, or serving of food.

O. **MISBRANDED.** "Misbranded" means the presence of any written, printed, or graphic matter, upon or accompanying food or containers of food, which is false or misleading, or which violates any applicable state or local labeling requirements.

P. **PERISHABLE FOOD.** "Perishable food" means any food of such type or in such condition as may spoil.

Q. **PERSON.** "Person" means any individual, or a firm, partnership, company, corporation, trustee, association, or any public or private entity.

R. **POTENTIALLY HAZARDOUS FOOD.** "Potentially hazardous food" means any perishable food which consists in whole or in part of milk products, eggs, meat, poultry, fish, shellfish, or other ingredients capable of supporting rapid and progressive growth of infectious or toxigenic micro-organisms.

S. **SAFE TEMPERATURES.** "Safe temperatures", as applied to potentially hazardous food, means temperatures of forty-five degrees Fahrenheit or below, and one hundred forty degrees Fahrenheit or above.

T. **SANITIZE.** "Sanitize" means effective bactericidal treatment of clean surfaces of equipment and utensils by a process which has been approved by the health officer as being effective in destroying micro-organisms, including pathogens.

U. **SEALED.** "Sealed" means free of cracks or other openings which permit the entry or passage of moisture.

V. **SINGLE SERVICE ARTICLES.** "Single service articles" means cups, containers, lids, or closures; plates, knives, forks, spoons, stirrers, paddles, straws, place mats, napkins, doilies, wrapping material; and all similar articles which are constructed wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, synthetic, or other readily destructible materials, and which are intended by the manufacturers and generally recognized by the public as for one usage only, then to be discarded.

W. **TABLEWARE.** "Tableware" means all multi-use eating and drinking utensils, including flatware (knives, forks, and spoons).

X. **TEMPORARY FOOD SERVICE ESTABLISHMENT.** "Temporary food service establishment" means any food service establishment which operates at a fixed location for a temporary period of time, not to exceed two weeks, in connection with a fair, carnival, circus, or public exhibition.

Y. **UTENSIL.** "Utensil" means any tableware and kitchenware used in the storage, preparation, conveying, or serving of food.

Z. **WHOLESOME.** "Wholesome" means in sound condition, clean, free from adulteration, and otherwise suitable for use as human food. (Res. 28938 § 1, 1964).

II. MAINTENANCE REGULATIONS

8.40.020 Food supplies. All food in food service establishments shall be from sources approved or considered satisfactory by the health officer and shall be clean, wholesome, free from spoilage, free from adulteration and misbranding, and safe for human consumption. No hermetically sealed, non-acid and low-acid food which has been processed in a place other than a commercial food processing establishment shall be used. (Res. 28938 § 2(1), 1964).

8.40.030 Food protection. All food while being stored, prepared, displayed, served, or sold at food service establishments, or during transportation between such establishments, shall be protected from contamination. No food shall be prepared in a mobile food service establishment. All perishable food shall be stored at such temperatures as will protect against spoilage. All potentially hazardous food shall be maintained at safe temperatures (forty-five degrees Fahrenheit or below, or one hundred-forty degrees Fahrenheit or above), except during necessary periods of preparation and service. Raw fruits and vegetables shall be washed before use. Stuffing, poultry, stuffed meats and poultry, and pork and pork products shall be thoroughly cooked before being served. Individual portions of food once served to the customer shall not be served again; provided, that wrapped food which has not been unwrapped and which is wholesome may be reserved.

Only such poisonous and toxic materials as are required to maintain sanitary conditions and for sanitization purposes may be used or stored in food service establishments; provided, that retail grocery stores may be exempted from this requirement when such products are handled in a manner acceptable to the health officer. Poisonous and toxic materials shall be identified, and shall be used and stored only in such manner and under such conditions as will not contaminate food or constitute a hazard to employees or customers. (Res. 28938 § 2(2), 1964).

8.40.040 Personnel health and disease control. No person while affected with any disease in a communicable form, or while a carrier of such disease, or while afflicted with boils, infected wounds, sores, or an acute respiratory infection, shall work in any area of a food service establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms or transmitting disease to other individuals; and no person known or suspected of being infected with any such disease or condition shall be employed in such an area or capacity. If the manager or person in charge of the establishment has reason to suspect that any employee has contracted any disease in a communicable form or has become a carrier of such disease, he shall notify the health officer immediately. It shall be the responsibility of anyone operating a food service establishment to see that all employees have valid food and beverage service workers permits issued under RCW 69.07 and the rules and regulations of the state board of health. It shall be unlawful for anyone to work in a food service establishment without a valid food and beverage service workers permit. Such permits shall be issued by the Seattle-King County Department of Public Health and signed by the local health officer or his authorized representative and all applicants for such a permit or renewal thereof, shall pay to such department a fee in the sum of two dollars. (Res. 28938 § 3(1), 1964).

8.40.050 Cleanliness. All employees shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty. They shall wash their hands thoroughly in an approved hand-washing facility before starting work, and as often as may be necessary to remove soil and contamination. No employee shall resume work after visiting the toilet room without first washing his hands. (Res. 28938 § 3(2), 1964).

8.40.060 Equipment and utensils. All equipment and utensils shall be so designed and of such material and workmanship as to be smooth, easily cleanable and durable, and shall be in good repair; and the food-contact surfaces of such equipment and utensils shall, in addition, be easily accessible for cleaning, non-toxic, corrosion resistant, and relatively non-absorbent; provided, that when approved by the health officer, exceptions may be made to the above material requirements for equipment such as cutting boards, blocks, and bakers' tables.

All equipment shall be so installed and maintained as to facilitate the cleaning thereof, and of all adjacent areas.

Equipment in use at the time of adoption of this chapter which does not meet fully the above requirements, may be continued in use if it is in good repair, capable of being maintained in a sanitary condition and the food-contact surfaces are non-toxic.

Single service articles shall be made from non-toxic materials. (Res. 28938 § 4(1), 1964).

8.40.070 Cleanliness of equipment and utensils. All eating and drinking utensils shall be thoroughly cleaned and sanitized after each usage.

All kitchenware and food-contact surfaces of equipment, exclusive of cooking surfaces of equipment, used in the preparation or serving of food or drink, and all food storage utensils, shall be thoroughly cleaned after each use. Cooking surfaces of equipment shall be cleaned at least once a day.

All utensils and food-contact surfaces of equipment used in the preparation, service, display, or storage of potentially hazardous food shall be thoroughly cleaned and sanitized prior to such use. Non-food-contact surfaces of equipment shall be cleaned at such intervals as to keep them in a clean and sanitary condition.

After cleaning and until use, all food contact surfaces of equipment and utensils shall be so stored and handled as to be protected from contamination.

All single-service articles shall be stored, handled and dispensed in a sanitary manner, and shall be used only once.

Food service establishments which do not have adequate and effective facilities for cleaning and sanitizing utensils shall use single service articles. (Res. 28938 § 4(2), 1964).

8.40.080 Water supply. The water supply shall be adequate, of a safe, sanitary quality and from an approved source. Hot and cold running water under pressure shall be provided in all areas where food is prepared, or equipment, utensils, or containers are washed; provided that hot and cold running water under pressure may not be required for mobile food service establishments when the food offered for sale from such establishments is prepared and packaged in individual portions at a fixed food-service establishment operating under valid permit.

Water, if not piped into the establishment, shall be transported and stored in approved containers and shall be handled and dispensed in a sanitary manner.

Ice used for any purpose shall be made from water which comes from an approved source, and shall be used only if it has been manufactured, stored, transported, and handled in a sanitary manner. (Res. 28938 § 5(1), 1964).

8.40.090 Sewage disposal. All sewage shall be disposed of in a public sewerage system, or, in the absence thereof, in a manner approved by the health officer. (Res. 28938 § 5(2), 1964).

8.40.100 Plumbing. Plumbing shall be so sized, installed and maintained as to carry adequate quantities of water to required locations throughout the establishment; as to prevent contamination of the water supply; as to properly convey sewage and liquid wastes from the establishment to the sewerage or sewage disposal system; and so that it does not constitute a source of contamination of food, equipment, or utensils, or create an insanitary condition or nuisance. (Res. 28938 § 5(3), 1964).

8.40.110 Toilet facilities. Each food-service establishment shall be provided with adequate, conveniently located toilet facilities for its employees; provided that adequate and convenient toilet facilities may not be required for employees of a mobile food service establishment when the food offered for sale from such establishments is prepared and packaged in individual portions at a fixed food service establishment operating under valid permit. Toilet fixtures shall be of sanitary design and readily cleanable. Toilet facilities, including rooms and fixtures, shall be kept in a clean condition and in good repair. The doors of all toilet rooms shall be self-closing. Toilet tissue shall be provided. Easily cleanable receptacles shall be provided for waste materials, and such receptacles in toilet rooms for women shall be covered. Where the use of non-water-carried sewage disposal facilities have been approved by the health officer, such facilities shall be separate from the establishment. When toilet facilities are provided for patrons, such facilities shall meet the requirements of this section and Section 8.40.120. (Res. 28938 § 5(4), 1964).

8.40.120 Hand washing facilities. Each food service establishment, with the exception of a mobile food service establishment when the food offered for sale from such establishments is prepared and packaged in individual portions at a fixed food service establishment operating under valid permit, shall be provided with adequate, conveniently located hand washing facilities for its employees, including a lavatory or lavatories equipped with hot and cold or tempered running water, hand-cleansing soap or detergent, and approved sanitary towels or other approved hand-drying devices. Such facilities shall be kept clean and in good repair. (Res. 28938 § 5(5), 1964).

8.40.130 Garbage and rubbish disposal. All garbage and rubbish containing food wastes shall, prior to disposal, be kept in leak proof, non-absorbent containers which shall be kept covered with tight-fitting lids when filled or stored, or not in continuous use: provided, that such containers need not be covered when stored in a special vermin-proofed room or enclosure, or in a food waste refrigerator. All other rubbish shall be stored in containers, rooms or areas in an approved manner. The rooms, enclosures, areas and containers used shall be adequate for the storage of all food wastes and rubbish accumulating on the premises. Adequate cleaning facilities shall be provided, and each container, room, or area shall be thoroughly cleaned after the emptying or removal of garbage and rubbish. Food waste grinders, if used, shall be installed in compliance with state and local standards and shall be of suitable construction. All garbage and rubbish shall be disposed of with sufficient frequency and in such a manner as to prevent a nuisance. (Res. 28938 § 5(6), 1964).

8.40.140 Vermin control. Effective measures shall be taken to protect against the entrance into the establishment and the breeding or presence on the premises of vermin. (Res. 28938 § 5(7), 1964).

8.40.150 Floors, walls and ceilings. The floors surfaces in kitchens, in all other rooms and areas in which food is stored or prepared and in which utensils are washed and in walk-in refrigerators, dressing or locker rooms and toilet rooms, shall be of smooth, nonabsorbent materials, and so constructed as to be easily cleanable; provided, that the floors of nonrefrigerated, dry food storage areas need not be nonabsorbent. All floors shall be kept clean and in good repair. Floor drains shall be provided in all rooms where floors are subjected to flooding type cleaning or where normal operations release or discharge water or other liquid waste on the floor. All exterior areas where food is served shall be kept clean and properly drained, and surfaces in such areas shall be finished so as to facilitate maintenance and minimize dust.

The walls and ceilings of all rooms shall be kept clean and in good repair. All walls of rooms or areas in which food is prepared, or utensils or hands are washed, shall be easily cleanable, smooth and light colored, and shall have washable surfaces up to the highest level reached by splash or spray. (Res. 28938 § 6(1), 1964).

8.40.160 Lighting. All areas in which food is prepared or stored or utensils are washed, hand washing areas, dressing or locker rooms, toilet rooms and garbage and rubbish storage areas shall be well lighted. During all clean-up activities, adequate light shall be provided in the area being cleaned, and upon or around equipment being cleaned. (Res. 28938 § 6(2), 1964).

8.40.170 Ventilation. All rooms in which food is prepared or served or utensils are washed, dressing or locker rooms, toilet rooms, and garbage and rubbish storage areas shall be well ventilated. Ventilation hoods and devices shall be designed to prevent grease or condensate from dripping into food or onto food preparation surfaces. Filters, where used, shall be readily removable for cleaning or replacement. Ventilation systems shall comply with applicable state and local fire-prevention requirements and shall, when vented to the outside air, discharge in such manner as not to create a nuisance. (Res. 28938 § 6(3), 1964).

8.40.180 Dressing rooms and lockers. Adequate facilities shall be provided for the orderly storage of employees' clothing and personal belongings. Where employees routinely change clothes within the establishment, one or more dressing rooms or designated areas shall be provided for this purpose. Such designated areas shall be located outside of the food preparation, storage, and serving areas, and the utensil-washing and storage areas: provided, that when approved by the health officer, such an area may be located in a storage room where only completely packaged food is stored. Designated areas shall be equipped with adequate lockers, and lockers or other suitable facilities shall be provided in dressing rooms. Dressing rooms and lockers shall be kept clean. (Res. 28938 § 6(4), 1964).

8.40.190 Housekeeping. All parts of the establishment and its premises shall be kept neat, clean, and free of litter and rubbish. Cleaning operations shall be conducted in such a manner as to minimize contamination of food and food contact surfaces. None of the operations connected with a food service establishment shall be conducted in any room used as living or sleeping quarters. Soiled linens, coats, and aprons shall be kept in suitable containers until removed for laundering. No live bird or animals shall be allowed in any area used for the conduct of food-service establishment operations; provided, that guide dogs accompanying blind persons may be permitted in a dining area. (Res. 28938 § 6(5), 1964).

8.40.200 Compliance. Temporary food service establishments, food demonstrations, and specific food service establishments, including mobile restaurant, retail grocery, retail food market, and retail bakery, shall comply with all provisions of this chapter which are applicable to their operation; provided, that the health officer may augment such requirements when needed to assure the service of safe food, may prohibit the sale of certain potentially hazardous food and may modify specific requirements for physical facilities when in his opinion no imminent health hazard will result and may establish rules and regulations governing such operations. (Res. 28938 § 7, 1964).

8.40.210 Plan review of future construction. When a food service establishment is hereafter constructed or extensively remodeled, or when an existing structure is converted for use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or alteration, showing layout, arrangement, and construction materials of work areas, and the location, size, and type of fixed equipment and facilities, shall be submitted to the health officer for approval before such work is begun. (Res. 28938 § 15, 1964).

III. PERMITS

8.40.220 Permit required. It is unlawful for anyone to operate a food service establishment without a valid permit so to do issued to him by the health officer. Only a person who complies with the requirements of this chapter and rules and regulations of the health officer shall be entitled to receive and retain such a permit. Permits shall not be transferable and shall be valid only for the person and place for which issued. It shall be valid for one year from date of issue. Said permit shall be posted conspicuously in the food service establishment for which issued. Permits for temporary food service establishments may be issued for a period of time not to exceed fourteen days. (Res. 28938 § 8(part), 1964).

8.40.230 Issuance of permits. Any person desiring to operate a food service establishment shall make written application for a permit on a form to be provided by the health officer. Such application shall include the applicant's full name and post office address and whether such applicant is an individual, firm, or corporation, and, if a partnership, the names and addresses of the partners, the location and type of the proposed food service establishment; and the signature of the applicant or applicants. If the application is for a temporary food service establishment, it shall also include the inclusive dates of the proposed operation.

The health officer shall make an inspection of the proposed food service establishment to determine compliance with the provisions of this chapter. When inspection reveals that the applicable requirements of this chapter have been met, a permit shall be issued to the applicant by the health officer. (Res. 28938 § 8(part), 1964).

IV. INSPECTIONS

8.40.240 Inspection of food service establishments - Access. The health officer shall inspect each food service establishment as often as is necessary for the enforcement of this chapter.

A health officer exhibiting proper identification shall be permitted to enter at any reasonable time any food service establishment for the purpose of making inspections to determine compliance with this chapter. He shall be permitted to examine the records of the establishment pertaining to food and supplies purchased, received, or used, and persons employed. (Res. 28938 § 11, 1964).

8.40.250 Inspection report form. Whenever the health officer makes an inspection of a food service establishment, he shall record his findings on an inspection report form prepared by the director of Public Health who shall be guided in the preparation thereof by public health service form 4006. The health officer making such inspection shall furnish the original of such inspection report form to the permit holder or operator. Such form shall summarize the requirements of Sections 8.40.020 through 8.40.210 and shall set forth demerit point values to be charged any such permittee for violation of any of such requirements. Upon completion of an inspection, the health officer shall total the demerit point values for all requirements in violation, such total becoming the demerit score of the establishment. (Res. 28938 § 12 (part), 1964).

8.40.260 Notice to permit holder. The health officer making such inspection shall notify the permit holder or manager of all violations he may find by delivering to him a properly filled out inspection report form or other written notice. In such notification, the health officer shall set forth the specific violations found, together with the demerit score of the establishment. When a demerit score is twenty or less, all violations of two or four demerit points must be corrected by the time of the next routine inspection; or when the demerit score is more than twenty but not more than forty, all items of two or four demerit points must be corrected within thirty days; or when one or more six demerit point items are in violation, regardless of demerit score, all such items must be corrected within ten days. When the demerit score is more than forty, the health officer shall immediately suspend the permit. All violations in temporary food service establishments must be corrected within twenty-four hours of notice thereof. Failure to comply with such notice shall result in immediate suspension of the permit. (Ord. 2910 § 11, 1976; Res. 28938 § 12 (part), 1964).

8.40.270 Examination and condemnation of food. Food may be examined or sampled by the health officer as often as may be necessary to determine freedom from adulteration or misbranding. The health officer may, upon written notice to the owner or person in charge, place a hold order on any food which he determines or has probable cause to believe to be unwholesome or otherwise adulterated, or misbranded. Under a hold order, food shall be permitted to be suitably stored. It shall be unlawful for any person to remove or alter a hold order, notice or tag placed on food by the health officer, and neither such food nor the containers thereof shall be relabeled, repacked, reprocessed, altered, disposed of, or destroyed without permission of the health officer, except on order by a court of competent jurisdiction. The owner or person in charge may demand a hearing such as is provided for in Sections 8.40.260 through 8.40.270 and on the basis of evidence produced at such hearing, or on the basis of his examination in the event a written request for a hearing is not received within ten days, the health officer may vacate the hold order, or may by written order, direct the owner or person in charge of the food which was placed under the hold order, to denature or destroy such food or to bring it into compliance with the provisions of this chapter; provided, that such order of the health officer to denature or destroy such food or bring it into compliance with the provisions of this chapter shall be stayed if the order is appealed to a court of competent jurisdiction within three days. (Res. 28938 § 13, 1964).

8.40.280 Imported foods. Food from food service establishments outside the county may be sold within the county if such food service establishments conform to the provisions of this chapter or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the health officer may accept reports from responsible authorities in other jurisdictions where such food service establishments are located. (Res. 28928 § 14, 1964).

8.40.290 Procedure when infection is suspected. When the health officer has reasonable cause to suspect possibility of disease transmission from any food service establishment employee, the health officer shall secure a morbidity history of the suspected employee, or make such other investigations as may be indicated, and take appropriate action. The health officer may require any or all of the following measures:

- A. The immediate exclusion of the employee from all food service establishments;
- B. The immediate closure of the food service establishment concerned until, in the opinion of the health officer, no further danger of disease outbreak exists;
- C. Restriction of the employee's services to some area of the establishment where there would be no danger of transmitting disease; and
- D. Adequate medical and laboratory examinations of the employee, of other employees, and of his and their body discharges. (Res. 28938 § 16, 1964).

V. ENFORCEMENT

8.40.300 Enforcement. The director of the Seattle-King County Department of Public Health is authorized to enforce the provisions of this chapter and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions contained in Title 23, and in accordance with the compliance provisions of the United States Public Health Service Food Service Sanitation Ordinance and Code. (Ord. 2910 § 8, 1976).

8.40.310 Severability. Should any section, subsection or part of this chapter be declared unconstitutional or invalid for any reason, such shall not affect the validity of the remaining portions. (Res. 28938 § 19, 1964).

Chapter 8.44
MEAT¹

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¹. [For the statutory provisions regarding the Washington Meat Inspection Act, see RCW 16.49A.]

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8.44.020 Validity. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 488 § 32, 1970).

8.44.030 Definitions. Words and phrases as used in this chapter shall have the following meanings.

A. **ADULTERANT.** "Adulterant" means filth, toxic ingredient or unwholesome substance of any kind, or any material such as, but not limited to, added water, farinaceous material, excess fat, or preservatives, or any substance not authorized to be contained in a specific meat product.

B. **APPRENTICE MEAT CUTTER.** "Apprentice meat cutter" means any person in a retail meat shop employed for the purpose of selling meat and/or learning meat cutting under the approved Washington State Apprenticeship Training Committee Seattle-King County meatcutters' apprenticeship program.

C. **CONSUMER.** "Consumer" means any person procuring or obtaining meat for consumption by themselves or their families, or with a view to preparation or cooking and resale to their guests or to the public.

D. **CURED MEAT.** "Cured meat" means all meat which has been cured by cooking, smoking, salting, drying, or other recognized trade process of curing.

E. **CURED SAUSAGE.** "Cured sausage" means all meat food products prepared in whole or in part from chopped or ground meat and further processed by curing and/or drying and/or smoking and/or cooking, and moulded or encased in artificial or natural animal casing.

F. DIRECTOR. "Director" means the director of Public Health of the county of King or his authorized representative.

G. FOOD AND BEVERAGE SERVICE WORKER'S PERMIT. "Food and beverage service worker's permit" means a food and beverage service worker's permit issued under RCW 69.06 as now or hereafter amended, and pursuant to the rules and regulations of the State Board of Health in such connection.

H. FRESH MEAT. "Fresh meat" means all meat which has not been cooked, or cured by smoking, salting, drying, or other recognized trade process of curing.

I. FRESH SAUSAGE. "Fresh Sausage" means chopped or ground fresh meat, with or without spice, either in bulk or in casings.

J. FROZEN MEAT. "Frozen meat" means meat which is congealed by refrigeration or cold.

K. INSPECTED MEAT. "Inspected meat" means all meat inspected, passed and approved, and stamped or tagged by a meat inspector.

L. LICENSED MEAT ESTABLISHMENT. "Licensed meat establishment" means any retail meat shop, retail processed meat shop, wholesale meat shop, or meat warehouse duly licensed under the provisions of this chapter.

M. MEAT. "Meat" means all animal flesh, carcasses and parts thereof, fresh, frozen, and cured sausage, cured meat, and all processed meat, except poultry and game, intended for human consumption or sold or disposed of as human food.

N. MEAT CUTTER. "Meat cutter" means any person cutting, cutting or preparing for sale, selling or disposing or offering to sell or dispose of fresh, cured, or frozen meat to a consumer but excludes meat wrapper and meat wrapper salesman.

O. MEAT INSPECTOR. "Meat inspector" means the director and/or any of his subordinates by him detailed as meat inspectors, or any person authorized to do meat inspection by the State Department of Agriculture or U. S. Department of Agriculture.

P. MEAT WAREHOUSE. "Meat warehouse" means all premises, buildings and parts thereof used to store perishable meat and which premises are not otherwise licensed under this chapter.

Q. MEAT WRAPPER. "Meat wrapper" means any person employed to handle, weigh, label, wrap, display, and package, fresh, processed or cured meats for sale in a licensed wholesale or retail meat shop and to offer to sell or sell processed, cured, or frozen meat therefrom to the consumer; and in a retail processed meat shop to slice and package cured and processed meats and to sell processed, cured and frozen meats.

R. MEAT WRAPPER SALESMAN. "Meat wrapper salesman" means any person employed to handle, weigh, label, wrap, display, and package fresh, processed, or cured meats for sale in a licensed wholesale or retail meat shop and to offer to sell or sell fresh, processed, cured, or frozen meat therefrom to the consumer; and in a retail processed meat shop, to slice and package cured and processed meats and to sell processed, cured, and frozen meats.

S. PERSON - NUMBER - GENDER. "Person" means individuals of either sex, and associations, co-partnerships and corporations, whether acting by themselves or by a servant, agent or employee. The singular number includes the plural, and the masculine pronoun includes the feminine.

T. RETAIL MEAT SHOP. "Retail meat shop" means all premises, buildings and/or parts thereof used for the preparation for sale, or for the sale or disposition, of fresh, frozen, and cured meat to a consumer.

U. RETAIL PROCESSED MEAT SHOP. "Retail processed meat shop" means all premises, buildings, and/or parts thereof used for the receipt, preparation for sale, sale or disposition of cured meat and/or frozen meat to a consumer.

V. SELF - SERVICE RETAIL MEAT SHOP. "Self-service retail meat shop" means any retail meat shop or retail processed meat shop where the majority of meat sales are of prepackaged meat selected by the consumer from open meat counters.

W. SERVICE RETAIL MEAT SHOP. "Service retail meat shop" means any retail meat shop where the majority of meat sales are of meats cut and wrapped in the consumer's presence.

X. WHOLESALE COMMISSION MEAT DEALER. "Wholesale commission meat dealer" means any person who purchases meat from a licensed wholesale meat shop for purposes of sale to any person other than a consumer.

Y. WHOLESALE MEAT DEALER. "Wholesale meat dealer" means any person who sells or disposes of meat to any person other than a consumer when such meat is from animals owned by and slaughtered for him in a slaughterhouse operating under state or federal meat inspection.

Z. WHOLESALE MEAT SHOP. "Wholesale meat shop" means all premises, buildings and/or parts thereof used for the receipt, preparation, manufacturing, processing, and curing, or for the sale or disposition of inspected meats. (Ord. 488 § 1, 1970).

II. LICENSING

8.44.040 Licenses required. It is unlawful for any person:

A. To open up, conduct, manage, operate or maintain a retail meat shop, retail processed meat shop, wholesale meat shop, or meat warehouse within the county of King without a "meat distribution facilities license" for each such establishment;

B. To operate or do business as a wholesale commission meat dealer or wholesale meat dealer within the county of King without a "meat dealer's license";

C. To engage in the business of, operate, or be employed as a meat cutter, apprentice meat cutter or meat wrapper or meat wrapper salesman within the county of King without a "meat cutter's license," "apprentice meat cutter's license," or "meat wrapper license" or "meat wrapper salesman's license";

D. Bring into, send into, or receive in the county of King for sale or to sell, or offer for sale therein or to hold for sale, trade, delivery or barter any meat, without having a license so to do issued by the director under this chapter provided, that meat prepared and packaged by persons licensed under this chapter in accordance with sanitary conditions prescribed by the director may be sold to consumers from retail meat shops, retail processed meat shops, or wholesale meat shops licensed hereunder, by persons holding valid food and beverage service worker's permits when such sales are authorized by, and comply with the conditions set forth in Section 8.44.170 through 8.44.260 and 8.44.340.

Provided, any person maintaining a license in good standing issued under Seattle City Ordinance No. 94465, as now or hereafter amended, is exempt from such licensing requirements so long as said city gives like consideration on a reciprocal basis to those persons licensed hereunder. (Ord. 488 § 3(part), 1970).

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8.44.050 Fees. The annual fees for licenses issued pursuant to this title are as follows:

Meat Distribution Facilities License:

Retail meat shop (one man shop) where only
pre-cut meats are sold \$ 35.00

Retail meat shop employing not more than three meat cutters and/or
meat wrappers or meat wrapper salesmen
Open until 6:00 p.m. \$ 80.00
Open after 6:00 p.m. 95.00

Retail meat shop employing four or more cutters and/or meat wrappers
or meat wrapper salesman
Open until 6:00 p.m. \$ 130.00
Open after 6:00 p.m. 180.00

Retail processed meat shop \$ 35.00

Wholesale meat shop employing not more than five persons
If under state or federal inspection \$ 200.00
If not under state or federal inspection 350.00

Wholesale meat shop employing six or more persons
If under state or federal inspection \$ 350.00
If not under state or federal inspection 550.00

Meat warehouse \$ 25.00

Meat Dealer's License:

Wholesale meat dealer and wholesale commission
meat dealer \$ 250.00

Personal License:

Meat cutter license, apprentice meat cutter license, meat
wrapper license, and meat wrapper salesman license \$ 10.00

(Ord. 488 § 3(part), 1970).

8.44.060 Expiration - Transfer. Each license issued hereunder shall expire on the thirtieth day of June next following issuance thereof and shall be nontransferable or assignable except that a meat distribution facilities license may be transferred from one establishment to another when approved by the director and upon payment of a transfer fee equal to ten percent of the applicable meat distribution facilities license. Should any meat distribution facilities license or meat dealer's license be issued between the first of January and the thirtieth of June of any year, the required fee shall be one-half of the annual fee therefor. (Ord. 488 § 3(part), 1970).

8.44.070 Display. Meat distribution facilities licenses issued hereunder shall be posted in a conspicuous place in each establishment, and licenses issued to individuals shall be carried on the person by such individuals while engaged in the activities licensed hereunder. (Ord. 488 § 3(part), 1970).

8.44.080 Issuance of wrapper and cutter licenses. Meat cutter, apprentice meat cutter, meat wrapper and meat wrapper salesman's licenses shall be issued by the director upon compliance with the provisions of this chapter and/or rules or regulations adopted hereunder. (Ord. 488 § 4(part), 1970).

8.44.090 Application. Persons desiring a license shall make written application to the director on forms provided by him. Such application shall include the applicant's full name and address, whether such applicant is an individual, firm or corporation, and if a partnership, the names and addresses of the partners, and if an employee, the name of his employer. Applications shall be accompanied by the payment of the required fee to the director. If the application is for a meat distribution facilities license, it shall include the location by street and number of the premises to be occupied or the premises from which applicant wishes to operate, and the type of meat establishment to be licensed. (Ord. 488 § 4(part), 1970).

8.44.100 Application for meat distribution facilities license outside county. If the application is for a meat distribution facilities license covering a wholesale meat shop located outside the county of King, it shall be accompanied by a written agreement, signed by the applicant agreeing to comply with the provisions of this chapter and all rules and regulations made pursuant thereto and with any other ordinance or resolution of the county of King relating to or affecting wholesale meat shops and agreeing to allow such inspection of the applicant's premises as the director may require, and to pay to the director, upon presentation of a bill therefor, the cost of transportation required for such inspection at the rate of ten cents per mile. (Ord. 488 § 4(part), 1970).

8.44.110 Application when slaughterhouse outside county. In the event that an applicant for a wholesale meat dealer's license desires to operate from a slaughterhouse located outside of the county of King, he shall file with such application his written agreement to permit the inspection, at all reasonable times, of his fixtures and equipment used in the transportation and sale of meat, and to faithfully comply with all the provisions of this chapter and all other ordinances of the county of King and all rules and regulations made pursuant thereto relating to the transportation and sale of meat; provided, no wholesale meat dealer's license shall authorize the holder to sell any meat from any animals slaughtered for him in a slaughterhouse unless the same are passed through a licensed wholesale meat shop. (Ord. 488 § 4(part), 1970).

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8.44.120 Distribution facilities inspection. When application is for a meat distribution facilities license, the director shall inspect the premises therein described and the fixtures and equipment to be used to determine compliance with the provisions of this chapter. When such inspection reveals that the applicable requirements of this chapter have been met, the director shall approve the application and issue such license. If the director determines that the requirements of this chapter have not been met, he shall so reject the same. (Ord. 488 § 4(part), 1970).

8.44.130 Food and beverage service worker's permit required. Applicants for a meat cutter, apprentice meat cutter, meat wrapper and meat wrapper salesman's license must be in possession of a valid food and beverage service worker's permit. Applicants for an apprentice meat cutter's license shall also show a certification of enrollment in a Seattle-King County meat cutter's apprenticeship program approved by the director and/or approved by the joint apprenticeship committee consisting of six regular members representing the meat industry (three from employers and three from employees) and one ex-officio member the Washington State Department of Labor and Industries coordinator for apprenticeship training. Applicants for a meat cutter's license shall possess a certificate indicating that the applicant has passed the meat cutter's license examination provided for by Section 8.44.270, and such applicant shall further show by competent evidence that he has had at least three years practical experience as a meat cutter and has acquired the basic manual skills and special knowledge of meat cutting. (Ord. 488 § 4(part), 1970).

8.44.140 Sale to consumer from licensed shop only. It is unlawful to sell, trade, deliver, barter or otherwise dispose of fresh meat to a consumer except in and from a retail meat shop, or a wholesale meat shop, duly licensed hereunder, or to sell, trade, deliver, barter or otherwise dispose of cured meat, frozen meat and/or cured sausage to any consumer except in and from a retail meat shop, wholesale meat shop, or a retail processed meat shop duly licensed hereunder. Provided, however, nothing in this chapter shall prohibit a farmer who raises his own animals from selling such meat directly to an individual for his or his family's consumption provided such meat has been inspected. (Ord. 488 § 5, 1970).

8.44.150 Retail meat shop operation authorization. Any license issued for a retail meat shop shall authorize the person named therein to conduct and operate a retail meat shop in and upon the premises described therein, and upon said premises to provide for the sale to consumers of inspected meat in any form purchased from the following persons or establishments duly licensed under this chapter; wholesale meat shop, wholesale meat dealer operating through a wholesale meat shop, or a wholesale commission meat dealer, and to make, prepare and process from inspected meats and sell to the consumer on said premises, fresh or cured sausage, cured meat, frozen meat, or other meat food products.

Fresh meat that has been cut and prepared for sale by a licensed meat cutter or a licensed apprentice meat cutter in a retail meat shop where meat is wrapped for a consumer at time of sale may be sold to the consumer by a licensed meat cutter, licensed apprentice meat cutter, or a licensed meat wrapper salesman at any time the market is open for business. Such meat may only be sold under sanitary conditions as prescribed by the director. (Ord. 488 § 6(part), 1970).

8.44.160 Retail processed meat shop operation authorization. Any license issued for a retail processed meat shop shall authorize the person named therein to conduct and operate a retail processed meat shop in and upon the premises described therein, and to make cured sausage and cured meats, and to provide for the sale of inspected cured meat and cured sausage and frozen meat therein to the consumer. All meat must be purchased through a wholesale meat shop, or wholesale commission meat dealer. (Ord. 488 § 6(part), 1970).

8.44.170 Wholesale meat shop operation authorization. Any license issued for a wholesale meat shop shall authorize the person named therein to conduct and operate a wholesale meat shop in and upon the premises described therein and to provide for the sale of inspected meat at retail or wholesale.

Any licensed wholesale meat shop which only receives, stores, and ships meat products in the same condition as when they left the shipper without removing the protecting wrapping or packaging and without further processing of any kind may, upon written application to the director and upon his inspection and approval be exempted from those sanitary requirements provided for meat establishments in Sections 8.44.490 through 8.44.530 which, in the director's determination, relate to protection of the public in the handling, cutting, weighing, processing, and packaging of meat rather than the handling and transporting of prepackaged meat and meat products. (Ord. 488 § 6(part), 1970).

8.44.180 Wholesale meat dealer operation authorization. Every wholesale meat dealer's license shall authorize the person named therein to sell to any person other than a consumer meat produced from animals owned by and slaughtered for him in a state or federally inspected slaughterhouse. Upon application of the holder of such license and the approval of the director, the director shall substitute in such license the name of any other slaughterhouse in lieu of the slaughterhouse originally designated therein. (Ord. 488 § 6(part), 1970).

8.44.190 Wholesale commission meat dealer operation authorization. Every wholesale commission meat dealer's license shall authorize the person named therein to conduct a business out of a licensed wholesale meat shop and to buy inspected meat from any licensed wholesale meat shop and sell inspected meat to any person other than a consumer. Upon application of the holder of such license and the approval of the director, the director may substitute in such license the name of any other licensed wholesale meat shop in lieu of the wholesale meat shop originally designated therein; and with the approval of the director, the headquarters of the applicant designated in the original license and the place from which meat purchased by him from any licensed wholesale shop may be assembled, stored, sold and delivered, in a place other than a licensed wholesale meat shop. (Ord. 488 § 6(part), 1970).

8.44.200 Meat warehouse operation authorization. Every warehouse license shall authorize the person named therein to store inspected perishable meat upon the premises. (Ord. 488 § 6(part), 1970).

8.44.210 Meat cutter's operation authorization. A meat cutter's license shall entitle the holder to sell, offer to sell or to cut, or cut for sale or to dispose of meat to a consumer from a licensed meat establishment. (Ord. 488 § 6(part), 1970).

8.44.220 Apprentice meat cutter operation authorization. An apprentice meat cutter's license shall entitle the person to whom it is issued to prepare for sale, sell and dispose of fresh, frozen, and cured meat to consumers under the immediate direction of a licensed meat cutter. (Ord. 488 § 6(part), 1970).

8.44.230 Meat wrapper operation authorization. A meat wrapper's license shall entitle the holder to handle, weigh, label, wrap, display, and package fresh, processed or cured meats for sale in a licensed wholesale or retail meat shop and to offer to sell or sell processed, cured, or frozen meat therefrom to the consumer; and in a retail processed meat shop to slice and package cured and processed meats and to sell processed, cured and frozen meat. (Ord. 488 § 6(part), 1970).

8.44.240 Meat wrapper salesman operation authorization. A meat wrapper salesman's license shall entitle the holder to handle, weigh, label, wrap, display and package fresh, processed, or cured meats for sale in a licensed wholesale or retail meat shop and to offer to sell or sell fresh, processed, cured, or frozen meat therefrom to the consumer; and in a retail processed meat shop, to slice and package cured and processed meats and to sell processed, cured, and frozen meats. (Ord. 488 § 6(part), 1970).

8.44.250 Granting license after revocation. No license required under the provisions of this chapter shall be granted or issued to any person whose license has been revoked pursuant to the provisions of this chapter for a period of one year from and after the date of such revocation. (Ord. 488 § 8(part), 1970).

8.44.260 Employing unlicensed person. It is unlawful for anyone to employ a person as a meat cutter, apprentice meat cutter, meat wrapper or meat wrapper salesman when such person does not possess a valid license to act in such capacity as required under this chapter, or does not possess a valid food and beverage service worker's permit. (Ord. 2910 § 12, 1976: Ord. 488 § 30, 1970).

8.44.270 Examinations - Meat cutter - Meat wrapper salesman. The director shall examine applicants for a meat cutter's license and a meat wrapper salesman's license in accordance with reasonable rules set forth by the director. The examination shall be of a kind and character designed to test an applicant's competency of the meat wrapper salesman's practical knowledge of wrapping, refrigeration, sanitation, and care of meat; and the meat cutter's competency in the cutting, handling, care of meat, knowledge of sanitation and his ability by the senses to recognize in meats decomposition and other taints and conditions deleterious to health. If after examination the director rules that the applicant has passed the examination, he shall then be advised in writing that he is eligible to apply to the director for a meat cutter's license or meat wrapper salesman's license and to receive such license upon payment of the required fee. Each applicant shall pay to the director an examination fee of ten dollars prior to taking the examination; provided, however, the director is authorized to make arrangements for the examination to be given by the Seattle civil service department, and in such cases the ten-dollar examination fee will be paid directly to said department. (Ord. 488 § 10, 1970).

8.44.280 Meat worker's health permits. All persons handling meat or meat products intended for sale shall be in possession of a valid food and beverage service worker's permit, and it shall be the responsibility of anyone operating a licensed meat establishment to see that all employees have the same. It is unlawful to handle meat intended for sale without a food and beverage service worker's permit. (Ord. 488 § 11, 1970).

8.44.290 Fraudulent and unlawful use or removal of licenses, certificates, inspection marks, and numbers. It is unlawful to forge, simulate or alter any license or certificate issued or issuable hereunder; or to alter, dispose of, or put off as true, any such license or certificate, knowing the same to have been forged, simulated or altered; or to have any such forged, simulated or altered license or certificate in possession with intent to use, alter, or dispose of the same.

It is also unlawful for any person to use, apply, affix, counterfeit or imitate the official establishment number assigned to another; or to have in his possession, with intent to use or apply the same, any roller stamp, device or other facility bearing any such number or mark of another.

It further is unlawful to apply, affix or attach to any meat any mark, tag, stamp or insignia indicating that the same is inspected meat within the meaning of this chapter, unless the same is inspected meat.

It is unlawful for any person to remove or mutilate the marks, retained or condemnation tags, or other official forms placed upon carcasses, parts thereof, meat, meat containers, equipment, facilities, vehicles, or premises. The marks or retained and condemned tags can only be removed by a meat inspector. (Ord. 488 § 12, 1970).

III. SANITATION STANDARDS

8.44.300 Compliance required. Licensed meat establishments shall comply with the sanitation standards in Sections 7.08.350 - 7.08.470. (Ord. 488 § 21 (part), 1970).

8.44.310 Walls and ceilings. Walls and ceilings of all rooms shall be kept clean, tight, and in good repair. The surfaces shall be of such construction and finish as to be easily cleaned and shall be light in color. (Ord. 488 § 21 (1), 1970).

8.44.320 Doors and windows. Unless effective means are provided to prevent the access of flies, all openings to the outer air shall be effectively screened, and all doors shall be self-closing. (Ord. 488 § 21, (2), 1970).

8.44.330 Floors. Floors shall be smooth, easily cleanable and constructed of water and grease impervious material. The floors shall be kept in good repair and shall be kept clean.

Floor drains must be provided as required by the King County Plumbing Code. (Ord. 488 § 21, (3), 1970).

8.44.340 Lighting. All areas of a licensed meat establishment shall provide adequate artificial or natural light. (Ord. 488 § 21 (4), 1970).

8.44.350 Ventilation. There shall be sufficient ventilation for all rooms and compartments to prevent the condensation of moisture and to carry off odors and vapors. (Ord. 488 § 21 (5), 1970).

8.44.360 Plumbing. All plumbing shall meet the requirements of the King County Plumbing Code. A two-compartment utility sink adequate for washing equipment shall be provided in the area where unwrapped or unpackaged meat is handled. This sink shall be provided with hot and cold running water. A hand-washing basin provided with hot and cold running water shall be located in area where meat is being cut and wrapped. (Ord. 488 § 21 (6), 1970).

8.44.370 Refrigeration. All meat shall be maintained at a temperature of forty degrees Fahrenheit or less except dry cured sausage until sold to the consumer. Adequate refrigerated space shall be provided to keep all perishable meat and meat products on the premises under refrigeration. (Ord. 488 § 21, (7), 1970).

8.44.380 Toilets, lavatories and dressing rooms. Adequate, conveniently located, sanitary toilet facilities should be provided on the premises and shall be in rooms ventilated according to the King County Plumbing and Building Codes. Such rooms shall be separated from rooms or compartments where meat is prepared, processed, stored, or offered for sale. Adequate dressing rooms with clothes storage facilities shall be provided for employees. Hand washing facilities convenient to the toilet with hot and cold running water, soap dispensers, and sanitary towel shall be provided. Hand washing signs shall be placed in a conspicuous place near the hand washing facilities. (Ord. 488 § 21 (8), 1970).

8.44.390 Cleaning of equipment and premises. Equipment and premises shall be kept clean and free from dirt, dust, insects, rodents, deleterious substances and other materials not conducive to good sanitation. (Ord. 488 § 21 (9), 1970).

8.44.400 Equipment. All equipment and tables shall be constructed of metal or water impervious material that can be readily cleaned; provided, cutting surfaces may be of wood or other suitable material if they can be maintained in a clean and sanitary condition. (Ord. 488 § 21 (10), 1970).

8.44.410 Water and ice supply. Hot and cold water of sufficient volume and pressure shall be easily accessible to all areas where meat is stored, cut, handled, processed, or shipped. All water used in meat shops shall be from an approved source.

All ice used in meat shops shall be made from water from an approved source, shall be stored and handled in a sanitary manner, and shall meet bacteriological standards as required for potable water. (Ord. 488 § 21 (11), 1970).

8.44.420 Personnel. Smoking or the chewing of tobacco is prohibited in the areas in which meat is being stored, handled or cut and expectorating on the floors is prohibited.

All persons handling meat must wear clean white outer garments and hairnets or caps. (Ord. 488 § 21 (12), 1970).

IV. INSPECTION

8.44.430 Special inspection services. The director is authorized to provide, and to render billings for special meat inspection services from time to time, to persons licensed under this chapter in connection with the inspection and/or certification of specially prepared meat and meat product mixtures for sale under private contract. Fees received from licenses for such special inspection services shall be deposited in the meat inspection fund as reimbursement for the cost of such inspection. (Ord. 488 § 7, 1970).

8.44.440 Availability of records. The owner, manager or other person in charge of records in any establishment engaged in the buying or selling of meat under the provisions of this chapter shall at any reasonable time on demand of the director or his authorized representatives exhibit to them any books, records, or other papers of such business. (Ord. 488 § 13, 1970).

8.44.450 Examination distribution facilities. The director shall cause, by inspectors appointed for that purpose, such examinations and inspections at reasonable times of any licensed meat establishment or similar establishment in which meat and meat products are prepared and/or handled for sale to the public as may be necessary to insure that such establishments are maintained in compliance with this chapter and to further insure that all meat and meat products in such establishments are handled and prepared in a manner conforming to the requirements of this chapter and are otherwise sound, healthful, and wholesome for human food; whenever the director finds that meat or meat products in any such establishments are unclean, unsound, unhealthful, or otherwise unfit for human food, or distributed under insanitary conditions, he shall forthwith prohibit, by appropriate order, the sale or transfer of meats or meat products from such establishment until the same shall actually have been inspected and found to be sound, healthful, wholesome, and fit for human food and to have been prepared under proper sanitary conditions as provided herein. Upon issuing such order the director shall cause a copy or copies thereof to be prominently posted upon such establishment.

It is unlawful for any person to remove or alter any order placed on any such establishment by the director and it further is unlawful for any person to remove any meat or meat products from a meat distribution facility where the director has suspended the sale or transfer of meat or meat products therefrom.

Meat or meat products may be examined or sampled by the director as often as may be necessary to determine whether the meat is free from adulteration, sound, healthful, and wholesome and such samples as may reasonably be required by the director shall be given to meat inspectors without compensation therefor. If a meat inspector making inspection of any such establishment obtains any sample in the course of the inspection, upon completion of the inspection and prior to leaving the premises he shall give to the owner, operator, or agent in charge a receipt describing the samples obtained. Whenever a meat inspector obtains a sample of any meat or meat products, and an analysis is made of such sample for the purpose of ascertaining whether it is free from adulteration, sound, healthful, wholesome, and fit for human food, a copy of the results of such analysis shall be furnished promptly to the owner, operator, or agent in charge. (Ord. 488 § 22, 1970).

8.44.460 Application to state for inspection permit. The director is authorized to apply for and on behalf of King County, to the State of Washington Department of Agriculture, for a permit to carry on meat inspection at certain meat food products establishments and to enter into an agreement with said state department for reimbursement of such inspection costs provided, that any reimbursement of such inspection costs when received from the state shall be credited to the meat inspection fund. (Ord. 488 § 28, 1970).

8.44.470 Inspector qualifications. Meat inspectors employed by the county of King under this chapter shall be persons who have been actively engaged in cutting, processing and/or preparing meat products for a minimum of five years.

A licensed veterinarian shall be responsible to the director for the administration of meat inspection activities under this chapter. (Ord. 488 § 29, 1970).

8.44.480 Meat inspection fund. All license fees and/or other charges paid to the director under the provisions of this chapter shall be deposited into the city of Seattle "Meat Inspection Fund" created by city Ordinance No. 94465. The fund shall be used solely to pay the costs and expenses incurred by the director in the enforcement of this title and Seattle Ordinance No. 94465. (Ord. 488 § 27, 1970).

V. SALE OF PREPACKAGED MEAT

8.44.490 Conditions generally - Fresh meat. Prepackaged fresh meat may be sold in open self-service, refrigerated cabinets in a licensed retail meat shop under the conditions in Sections 8.44.490 - 8.44.530. (Ord. 488 § 23 (part), 1970).

8.44.500 Meat cutter or apprentice responsibility. A licensed meat cutter or a licensed apprentice meat cutter or a licensed meat wrapper salesman shall at all times be on duty at said meat cabinet when customers are allowed to take fresh meat therefrom for purchase; provided, that between noon and one p.m. in a meat shop in which there is only one licensed meat cutter employed, an apprentice meat cutter, meat wrapper salesman, meat wrapper, or any other person who possesses a food and beverage service workers' permit may be designated to attend such case and be responsible for its contents. It shall be the duty of such meat cutter, or other designated person between the hours specified, to supervise and maintain said meat case, to remove any mutilated, torn or broken meat packages, and to remove any spoiled meat products. (Ord. 488 § 23 (1), 1970).

8.44.510 Meat case temperature. Each such meat case must at all times be maintained at a temperature not higher than thirty-six degrees Fahrenheit as indicated by a thermometer in the meat case. (Ord. 488 § 23 (2), 1970).

8.44.520 Cutting and packaging responsibility. Each piece of meat so sold must be cut in a licensed shop by a licensed meat cutter or an apprentice meat cutter and packaged by a licensed meat cutter, a licensed apprentice meat cutter, a licensed meat wrapper salesman or a licensed meat wrapper on the premises of a licensed wholesale or retail meat shop. (Ord. 488 § 23, (3), 1970).

8.44.530 Packaging and labeling requirements. Each piece of meat so sold must be thoroughly prepackaged by wrapping, and completely sealed with extra reinforcing at sharp corners and edges with a covering, which wrapping shall have the approval of the director as hereinbefore described; and each package shall be labeled or marked on the outside to show clearly and legibly the following:

- A. The true name of the product;
- B. Date must include day of the month when packaged;
- C. Type of contents (whether sliced, ground, cut-up, etc.). If more than one ingredient is contained in the meat, the word "ingredients" shall be shown on the label, followed by a list of such ingredients in order of their predominance, except in cases of products for which definitions and standards of identity have been prescribed by regulations of the director;
- D. The name and place of the licensed retail meat shop where the meat is cut, packaged and sold;
- E. Net weight, price per pound, total price of package and grade of contents. The grade may be deleted if the meat is ground, cubed or thinly sliced;
- F. The federal or state inspection legend and the number of the establishment or approved inspection legend or identification. (Ord. 488 § 23 (4), 1970).

8.44.540 Conditions generally - Frozen meat. Prepackaged frozen meats shall be sold only in compliance with the requirements and conditions in Sections 8.44.540 - 8.44.610 and only by a retail meat shop, wholesale meat shop, wholesale commission meat dealer, wholesale meat dealer, or a retail processed meat shop duly licensed under this chapter. (Ord. 488 § 24 (part), 1970).

8.44.550 Enclosure requirements. All prepackaged frozen meat must be completely enclosed in cartons or cellophane wrappings of such strength and quality as will prevent the products from being contaminated. All wrapping materials shall meet the requirements of the director. (Ord. 488 § 24 (1), 1970).

8.44.560 Storage temperature. Prepackaged frozen meat shall be stored in a cold storage area at a temperature at or below zero degrees Fahrenheit when not on display for sale. (Ord. 488 § 24 (2), 1970).

8.44.570 Inspection. Prepackaged frozen meat shall be subject to inspection at any time as deemed necessary by the director. (Ord. 488 § 24 (3), 1970).

8.44.580 Self service frozen meat cabinet temperatures. Self-service frozen meat cabinets in which meats are displayed for sale shall be maintained at a temperature of ten degrees Fahrenheit or lower and the temperature thereof shall never be allowed to rise above fifteen degrees Fahrenheit. (Ord. 488 § 24, (4), 1970).

8.44.590 Pet food. No pet food shall be displayed for sale in any frozen meat cabinet unless completely wrapped, packaged and clearly labeled as pet food. (Ord. 488 § 24 (5), 1970).

8.44.600 Refreezing. No prepackaged frozen meat shall be refrozen after having been thawed. (Ord. 488 § 24 (6), 1970).

8.44.610 Labeling. Each package shall be labeled either by printing, lithographing, embossing or other markings or labels, stickers, seals, wrappers or receptacle. Such labels or labeling shall be approved by the director pursuant to the provisions of Sections 8.44.630 - 8.44.640 and each label shall contain, prominently and informatively displayed:

- A. The true name of the product and date when packaged and frozen;
- B. The type or condition of contents (whether sliced, cut-up, etc.). If more than one ingredient, the word "ingredients" followed by a list of the ingredients, except in the case of products for which definitions and standards of identity have been prescribed by regulations. Ingredients must be listed in order of their predominance;
- C. The name and place of business of the manufacturer, packer or distributor;
- D. Net weight, total price, price per pound of package (except on unit weight items) and grade of contents. The grade may be deleted if the meat is ground, chopped, cubed or thinly sliced;
- E. The federal or state inspection legend and the number of the establishment or approved inspection legend or identification. (Ord. 488 § 24 (7), 1970).

VI. SALE AND POSSESSION OF GRADED AND LABELED MEAT.

8.44.620 Grading required. It is unlawful to sell, dispose of, offer for sale, expose for sale, or advertise for sale, any beef, veal, calf, lamb, or mutton unless the same has been graded by the King County Department of Public Health or by the U.S. Department of Agriculture in accordance with the U.S. Department of Agriculture, Consumer and Marketing Service Livestock Division Meat Grading Branch, Service and Regulatory Announcements as revised and amended and which are current. Provided, however, that this grading requirement shall not apply to the meat owned and actually raised by a farmer for this own use or who is selling it to an individual for his or his family's consumption; and provided further that this requirement shall not apply to meats used in the manufacture of fresh or cured sausage or cured meats. Meat grading may be done by the Health Department if deemed necessary by the director. (Ord. 488 § 14, 1970).

8.44.630 Labeling required. It is unlawful to sell or dispose of meat or meat products unless the same are labeled to plainly designate the kind or kinds of meats used therein. If more than one ingredient is used, they must be listed on the label in order of their predominance. (Ord. 488 § 16(part), 1970).

8.44.640 Approval - Misbranding. All labels or labeling must be approved by the director before being used on any meat or meat product. The director's disapproval of a label, brand, or tag on any meat or meat product shall be based upon his determination that the subject meat or meat product is "misbranded." A food is deemed misbranded if its labeling is false or misleading in any particular; or if any word, statement, or other information required by this chapter to appear on the label or labeling is not predominantly placed thereon with such conspicuousness (as compared with other words, statements, designs or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use. (Ord. 488 § 16 (part), 1970).

8.44.650 Possession of ungraded meat. No meat or meat product which has not been inspected or graded as required by this chapter, or which is not fit for human consumption or which is not kept in a sanitary manner, shall be possessed or stored in or on the premises of any retail meat shop, wholesale meat shop, or retail processed meat shop or by a wholesale meat dealer or wholesale commission meat dealer, or on any establishment which sells or serves any meat or meat products to the public. No meat or meat product which has not been purchased or acquired from, or through, a wholesale meat shop, a wholesale meat dealer, or a wholesale commission meat dealer, licensed under this chapter shall be possessed or stored in or on the premises of, or offered for sale by, a retail meat shop or a retail processed meat shop. No meat or meat product which has not been procured from a licensed meat establishment shall be processed or stored in or on the premises or offered for sale by a restaurant, lunchroom, hotel or similar establishment. (Ord. 488 § 17, 1970).

VII. ADVERTISEMENTS AND DISPLAYS

8.44.660 Deceptive or false assertion prohibited. It is unlawful for any person to make, publish, disseminate, circulate, or place before the public any advertisement or display relating to the sale of meat which advertisement or display contains any assertion, representation or statement which is untrue, deceptive or misleading, or which does not state the correct and truthful grade or quality of any meat so advertised or displayed for sale. (Ord. 1095 § 1 (part), 1972: Ord. 488 § 15 (part), 1970).

8.44.670 Statement of true portion required. It is unlawful to advertise or display for sale any cut of beef, veal, calf, pork, lamb, or mutton with bone in or boneless unless the advertisement or display clearly indicates the primal or true portion from which the cut is taken or the commonly accepted trade name as approved by the director. (Ord. 1095 § 1 (part): Ord. 488 § 15 (part), 1970).

8.44.680 Grade designation. It is unlawful to advertise or display for sale any meat food product which has been branded or marked as imitation or water added by a manufacturer or producer unless the advertisement or display clearly states that the same is "imitation" or water added. It is unlawful to display or advertise any veal, calf, beef, lamb, or mutton or any cut thereof, unless the same is so marked as to clearly indicate the correct and truthful grade. It is unlawful to advertise or display any roast or use the word "roast" without clearly and truthfully designating the roast so advertised or displayed as a neck cut, a blade cut, a round bone cut, rump cut or other truthful designation. In a service retail shop, plain letters on a contrasting background, not less than one-half inch in height shall be used to designate grade. (Ord. 1095 § 1 (part), 1972: Ord. 488 § 15 (part), 1970).

8.44.690 Artificial lights. It is unlawful to use any artificial light or lights so as to mislead the public concerning the natural appearance of meat or meat products displayed for sale in a licensed meat establishment. (Ord. 1095 § 1 (part), 1972: Ord. 488 § 15 (part), 1970).

8.44.700 Weight and portion of pork. Spare ribs, pork loins, pork shoulders, legs of pork, pork bellies, advertised, displayed or offered for sale either fresh or cured shall include the average weight of the whole. Any portion or parts from the whole shall include the respective average weight of the item.

Any part or portion of ham less than a whole or half shall be designated as a portion. (Ord. 1095 § 1 (part), 1972; Ord. 488 § 15 (part), 1970).

8.44.710 Picture advertising. Picture advertising shall correctly and truthfully represent the product so advertised. (Ord. 1095 (part), 1972; Ord. 488 § 15 (part), 1970).

8.44.720 Ground beef. Ground beef shall be labeled, classified, and advertised as A. ground beef, B. lean ground beef, C. extra lean ground beef, or D. leanest ground beef. The minimum allowable fat for ground beef shall be thirty percent; for lean ground beef shall be twenty-three percent; for extra lean ground beef shall be sixteen percent; and for leanest ground beef shall be nine percent. (Ord. 1095 § 1 (part), 1972; Ord. 488 § 15 (part), 1970).

8.44.730 Advertising frozen meat. All frozen meat, poultry, rabbit, and fish shall be advertised and represented as frozen. (Ord. 1095 § 1 (part), 1972; Ord. 488 § 15 (part), 1970).

8.44.740 Wrapping materials. All wrapping materials used on pre-packaged fresh or frozen meat shall be such that the consumer can clearly identify the product and shall be of a sanitary type sufficient to maintain the purity of the meat and to protect it from contamination. All packaging material must meet the approval of the director. (Ord. 1095 § 1 (part), 1972; Ord. 488 § 15 (part), 1970).

VIII. PROHIBITED CONDUCT.

8.44.750 Transportation. It is unlawful for any person to transport meat commercially in a vehicle that is not maintained in a clean and sanitary condition. All meat shall be transported in closed vehicles with a solid dust proof and vermin proof door. All cut portions of meat shall be thoroughly wrapped and/or adequately boxed or contained to prevent contamination. All quarters of beef, lamb carcasses, sides of veal, and larger combinations of primal cuts such as drop loins, and chucks, etc., shall be hung suspended in vehicles or laid on clean paper, and no meat shall come in contact with the floor or walls. Frozen meat must at all times be maintained in a frozen condition while in transit. Fresh meat when transported shall be maintained at a temperature of forty degrees Fahrenheit or less. No livestock or live poultry shall be transported in any vehicle used to transport meat. (Ord. 488 § 20, 1970).

8.44.760 Peddling prohibited. It is unlawful to go from house to house, or place to place, with or carrying or transporting meat with intent to sell the same, or offering or exposing the same for sale, either at wholesale or retail; or to aid or abet any person in so doing; provided, however, nothing in this chapter shall prohibit the carrying or transporting of meat by licensed meat establishments or licensed meat dealers for sale and immediate delivery to other licensed meat establishments or to food establishments operating under permit from the Seattle-King County Department of Public Health. (Ord. 488 § 19, 1970).

8.44.770 Sale prohibited. It is unlawful to possess, store, sell, advertise, expose for sale, manufacture, or offer for sale any meat or meat product which has not been inspected and examined as required by this chapter or which is adulterated, unsound, unhealthful, unwholesome or otherwise unfit for human food, or to use any plant, building, premises, machinery or equipment or any methods in preparing, storing, handling, manufacturing or processing meat or meat products which is insanitary or does not comply with the provisions of this chapter, or to possess, sell or offer for sale any meat except as authorized or permitted by this chapter. All meat or meat products which are adulterated, unsound, unhealthy, unwholesome, or otherwise unfit for human food or which do not comply with all the requirements of this chapter shall be retained for further inspection or condemned and disposed of as specified by the director. (Ord. 488 § 18, 1970).

8.44.780 Sale of adulterated sausage or ground beef. It is unlawful to sell, offer or expose for sale, to advertise for sale, or to manufacture for sale or consumption in the county of King, any fresh sausage, cured sausage, or ground beef which has been or is, adulterated. (Ord. 488 § 26 (part), 1970).

8.44.790 Contents of adulterated sausage or ground beef. Fresh sausage or ground beef is adulterated when it contains any of the following:

- A. Cereal; flour, grits or flour or grits of seeds from leguminous plants;
- B. Added coloring matter;
- C. A greater amount of water than the meats from which it is prepared contained in their fresh condition, except pork or link sausage may contain three percent added moisture;
- D. Antiseptic or preservative other than salt, sugar, spice, flavoring or ingredients approved by the director;
- E. Other chemicals;
- F. Or, if designated as pork sausage, when it contains meat or meat products other than pork, decomposed, contaminated or unwholesome pork;
- G. Ground beef containing greater than thirty percent fat; provided that fresh sausage or ground beef is not adulterated because of the addition of such substances in such quantities as are specifically authorized by meat inspection statutes or regulations of the United States or the state of Washington, but such product or products must be properly labeled as herein provided. Breeding or dips up to thirty percent of the weight of the meat may be placed on outside of meat products but shall not be incorporated into the meat, unless authorized herein. (Ord. 488 § 26 (part), 1970).

8.44.800 Sale or disposition of horse meat. It is unlawful to sell or dispose of horse meat, or any product in which the same is used, unless the meat is inspected meat, and unless the same is sold, handled or disposed of through a wholesale or retail meat shop licensed under this chapter and is plainly labeled as horse meat in letters at least four inches in height, and unless there is prominently displayed in the premises wherein the same is sold or disposed of, a sign with letters twelve inches in height, bearing the legend "We Sell Horse Meat." It is unlawful to serve horse meat in any form or when mixed or combined with any other meat or food in any restaurant, hotel, boardinghouse, or by any caterer or in any place where food is served for public consumption without making known on menus or otherwise that horse meat is being served, and if a choice of meats is offered, the service which is horse meat or contains horse meat. It is unlawful to keep or store horse meat or any product in which the same is used, or to sell or dispose of the same from any retail or wholesale meat shop in which any other meat is kept or stored, or from which any other meat is sold or disposed of. (Ord. 488 § 25, 1970).

8.44.810 Enforcement. The director of the Seattle-King County Department of Public Health is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 2910 § 2 (part), 1976: Ord. 488 (part), 1970).

Chapter 8.48

MILK¹

Sections:

- 8.48.010 Definitions.
- 8.48.020 Enforcement.
- 8.48.030 Milk and milk products which may be sold.
- 8.48.040 Adulterated or misbranded milk or milk products.
- 8.48.050 Labeling.
- 8.48.060 Handling of raw milk.

8.48.010 Definitions. All technical terminology used in this chapter and not defined in this section shall be interpreted in conformance with RCW Chapter 15.36 and WAC Chapter 16-101. As used in this chapter, the following terms shall have the following meanings:

A. "Adulterated milk and milk product" means any milk to which water has been added, or any milk or milk product which contains any unwholesome substance, or which if defined in RCW Chapter 15.36 or WAC Chapter 16-101 does not conform with its definition.

B. "Director" means the director of the Seattle-King County Department of Public Health.

C. "Milk products" means and includes cream, light cream, coffee cream, table cream, whipping cream, light whipping cream, heavy cream, heavy whipping cream, whipped cream, whipped light cream, whipped coffee cream, whipped table cream, sour cream, cultured sour cream, half-and-half, cultured half-and-half, reconstituted or recombined milk and milk products, concentrated milk, concentrated milk products, skim milk, skimmed milk, fortified milk and milk products, vitamin D milk and milk products, homogenized milk, flavored milk or milk products, buttermilk, cultured buttermilk, cultured milk, cultured whole milk buttermilk, and acidified milk and milk products.

This definition is not intended to include such products as sterilized milk and milk products hermetically sealed in a container and so processed, either before or after sealing, as to prevent microbial spoilage, or evaporated milk, condensed milk, butter, ice cream and other frozen desserts, dry milk products (except as defined in this chapter), or cheese except when they are combined with other substances to produce any pasteurized milk or milk products defined herein.

D. "Misbranded milk and milk products" means any milk or milk products which fail to conform in any respect with the statements on the label.

E. "Raw milk" means unpasteurized milk. (Ord. 3742 § 3, 1978).

¹[For statutory provisions regulating production and sale of fluid milk, see RCW 15.36; for provisions relating to dairies and dairy products, see RCW 15.32.]

8.48.020 Enforcement. The director is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the notice and order and enforcement and penalty provisions of Title 23. (Ord. 3742 § 5, 1978).

8.48.030 Milk and milk products which may be sold. Only grade A pasteurized milk and milk products or grade A raw milk or raw milk products shall be sold to the final consumer or to retail outlets, approved by the director, and only grade A pasteurized milk and milk products shall be sold to restaurants, soda fountains, grocery stores, or similar establishment; provided, that in an emergency, the sale of pasteurized milk and milk products which have not been graded, or the grade of which is unknown, may be authorized by the director; in which case, such milk and milk products shall be labeled "ungraded." (Ord. 3742 § 1, 1978: Res. 32224 § 9, 1966).

8.48.040 Adulterated or misbranded milk or milk products. No person shall, within the county or its police jurisdiction, produce, provide, sell, offer, or expose for sale, or have in possession with intent to sell any milk or milk product which is adulterated or misbranded; provided, that in an emergency, the sale of pasteurized milk and milk products which have not been graded, or the grade of which is unknown, may be authorized by the director in which case such products shall be labeled "ungraded."

Any adulterated or misbranded milk or milk products may be impounded by the director and disposed of in accordance with applicable laws or regulations. (Res. 32224 § 2, 1966).

8.48.050 Labeling. All bottles or bottle caps, containers, and packages which enclose milk or milk products as defined in Section 8.48.010 and which are sold or distributed or offered for sale or distribution to the final consumer shall be conspicuously labeled or marked with:

- A. The name of the contents as given in the definition of this title;
- B. The word "reconstituted" or "recombined" if the product is made by reconstitution or recombination;
- C. The grade of contents;
- D. The word "pasteurized" if the contents are pasteurized, and the identity of the plant where pasteurized;
- E. The word "raw" if the contents are raw, and the name or other identity of the producer;
- F. The designation "vitamin D" and the number of U.S.P. units per quart in the case of vitamin D milk or milk products;
- G. The volume or proportion of water to be added for recombining in the case of concentrated milk or milk products;
- H. The words "nonfat milk solids added" and the percentage added if such solids have been added, except that this requirement shall not apply to reconstituted or recombined milk or milk products;
- I. The words "artificially sweetened" in the name if nonnutritive and/or artificial sweeteners are used; and
- J. The common name of stabilizers, distillates, and ingredients; provided, that:
 - 1. In the case of concentrated milk products, the specific name of the product shall be substituted for the generic term "concentrated milk products," e.g., "homogenized concentrated milk," "concentrated skim milk," "concentrated chocolate milk";
 - 2. In the case of flavored milk or flavored reconstituted milk, the name of the principal flavor shall be substituted for the word "flavored";
 - 3. In the case of cultured milk and milk products, the special type culture used may be substituted for the word "cultured," e.g., "acidophilus buttermilk," "bulgarian buttermilk," and "yogurt."

The labeling information which is required on all bottles, containers or packages of milk or milk products shall be in letters of a size, kind, and color satisfactory to the director and shall contain no marks or words which are misleading. (Ord. 3742 § 2, 1978: Res. 32224 § 4, 1966).

8.48.060 Handing of raw milk. Raw milk and milk products stored in containers accessible to the final consumer shall be clearly labeled as such and shall be physically separated from pasteurized milk and milk products. (Ord. 3742 § 4, 1978).

Chapter 8.52 FROZEN DAIRY FOOD PRODUCTS

Sections:

- 8.52.010 Definitions.
- 8.52.020 Pasteurization of mix.
- 8.52.030 Permits.
- 8.52.040 Examination of frozen dairy foods.
- 8.52.050 Sanitation standards.
- 8.52.060 Transferring and dispensing frozen dairy foods.
- 8.52.070 Inspection of dairy food establishments.
- 8.52.080 Personnel health and disease control.
- 8.52.090 Enforcement.
- 8.52.100 Dairy food plants.

8.52.010 Definitions. The following words and phrases as used in this chapter mean as follows:

A. "Frozen dairy food" means ice cream, mix, soft serve, milk shake, frozen custard, french ice cream, french custard ice cream, ice milk, fruit sherbet, water ices, popsicles and frozen confections, or any other product containing milk or milk products in combination with other food products, including but not limited to wholesome fruits, flavoring, nuts, confectioneries, harmless coloring, stabilizers, and emulsifiers served to the public in a frozen or semifrozen state and designated as a "frozen dairy food" by the health officer.

B. "Frozen confection" means a product not containing milk or milk products but served to the public in a frozen or semifrozen state in the same manner as frozen dairy foods. The term "frozen dairy foods" includes "frozen confection."

C. "Mix" means the unfrozen combination of all ingredients of a frozen dairy food with or without fruits, fruit juices, confectioneries, nut meats, flavor, harmless coloring, stabilizers, or emulsifiers.

D. "Confectionery" means candy, cakes, cookies, glaze fruits, and similar products.

E. "Retail frozen dairy foods processor" means any person who freezes pasteurized mix in soft serve, semisolid or solid form for retail sale.

F. "Frozen dairy foods processor" means any person who freezes any pasteurized mix in a semisolid or solid form, for distribution for resale as a frozen dairy food.

G. "Frozen dairy foods manufacturer" means any person who manufactures, pasteurizes, packages and/or freezes any mix for distribution for resale.

H. "Frozen dairy foods distributor" means any person who offers for sale or sells to another for resale any frozen dairy foods for human consumption in a final package.

I. "Frozen dairy foods plant" means any place or premises where frozen dairy foods or mix are manufactured, pasteurized, frozen, or packaged for distribution for resale. The operation of soft-serve, milk shake, and related dispensing equipment shall not be construed to be the operation of a frozen dairy foods plant for purposes of this chapter.

J. "Frozen dairy foods establishment" means any place or premises where frozen dairy foods or mix are manufactured, distributed, served, or provided to the public for human consumption, with or without charge.

K. "Official laboratory" means a biological, chemical, or physical laboratory which is under the direct supervision of the state of Washington or King County director of Public Health.

L. "Officially designated laboratory" means a private commercial laboratory which is authorized to do official work by the health officer or a milk industry laboratory examination.

M. "Health officer" means the director of Public Health of the county or his authorized representative.

N. "Soft-serve" means the soft, partially frozen product resulting from the processing of mix in a freezer for direct sale to consumers.

O. "Milk shake" means the product resulting from agitation of frozen dairy food to which milk has been added or from processing of mix in a milk shake machine, and to which flavoring may or may not have been added.

P. "Product contact surface" means the surface of equipment or container which comes in direct contact with the frozen dairy food or mix which is offered to the public for human consumption.

Q. "Adulterated" means the condition of the frozen dairy food:

1. If it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health;

2. If it bears or contains any added poisonous or deleterious substance for which no safe tolerance has been established by regulation, or in excess of such tolerance if one has been established;

3. If it consists in whole or in part of any substance unfit for human consumption;

4. If it has been processed, prepared, packed, or held under insanitary conditions whereby it may have been rendered injurious to health;

5. If its container is composed in whole or in part of any toxic or deleterious substance which may render the contents injurious to health; and

6. If it contains any substance that does not conform to the definitions contained in this chapter.

R. "Misbranded" means the presence of any written, printed, or graphic matter, upon, or accompanying any frozen dairy food or containers for frozen dairy foods which is false or misleading.

S. "Person" means any individual, partnership, corporation, company, firm, trustee, or association. (Res. 31103 § 1, 1965).

8.52.020 Pasteurization of mix. Every particle of the combined milk, cream, milk product or other ingredients used in the manufacture of a frozen dessert mix shall be heated and held at temperature of not less than one hundred fifty-five degrees Fahrenheit for not less than thirty minutes, or one hundred seventy-five degrees Fahrenheit for not less than twenty-five seconds, or not less than one hundred ninety-four degrees Fahrenheit by the Vacreator process in approved and properly operated equipment; provided, that nothing contained in this requirement shall be construed as barring any other method or process as may be demonstrated to be equally efficient and which is approved by the health officer.

No person shall, within the county or its police jurisdiction, manufacture, freeze, sell, offer or expose for sale, or have in possession with intent to sell any mix or frozen dairy food which is adulterated or misbranded. It is unlawful for any person, elsewhere than in a private home, to have in possession adulterated or misbranded mix or frozen dairy food. Any adulterated, misbranded or improperly labeled mix or frozen dairy food may be impounded by the health officer and disposed of in accordance with the following procedure:

Frozen dairy food may be examined or sampled by the health officer as often as may be necessary to determine freedom from adulteration or misbranding. The health officer may, upon written notice to the owner of person in charge, place a hold order on any frozen dairy food which he determines or has probable cause to believe to be unwholesome or otherwise adulterated or misbranded. Under a hold order, frozen dairy food shall be permitted to be suitably stored. It is unlawful for any person to remove or alter a hold order, notice or tag placed on frozen dairy food by the health officer, and neither such food nor the containers thereof shall be relabeled, repacked, reprocessed, altered, disposed of, or destroyed without permission of the health officer, except on order by a court of competent jurisdiction.

It shall be the duty of all persons to whom mix or frozen dairy foods are delivered to rinse thoroughly the multiuse containers in which such mix or frozen dairy foods are delivered before returning such multiuse containers.

All delivery containers in which mix is delivered from the mix manufacturer shall bear the identity of the manufacturer and shall plainly show the "pull" date or the date limit for its use.

The product contact surfaces of all frozen dairy foods freezers and other equipment used in processing or preparing frozen dairy foods shall be thoroughly cleaned by methods approved by the health officer at least once in every twenty-four hours. All such equipment shall be sanitized by methods approved by the health officer just prior to reuse.

Product drip or overflow, or spilled mix or frozen dairy foods or their ingredients shall not be sold for human consumption.

Dispensing scoops, spoons, and dippers used in serving frozen dairy foods shall be stored between uses either in an approved running-water dipper well, or in a manner approved by the health officer. (Ord. 2910 § 13, 1976; Res. 31103 § 2, 1965).

8.52.030 Permits. It is unlawful for any retail frozen dairy foods processor, frozen dairy foods processor, frozen dairy foods manufacturer, frozen dairy foods distributor, frozen dairy foods plant, or person to bring into, sent into, or receive in the county, or its police jurisdiction, for sale, or to sell, or to offer for sale therein, or to have in storage where frozen dairy foods are sold or served, any frozen dairy food or mix without having a permit issued by the health officer in accordance with such rules and regulations as he may promulgate under this chapter; provided, that those holding valid food establishment permits issued under Chapter 8.40 are exempt from such permit requirement.

Only a person who complies with the requirements of this chapter shall be entitled to receive and retain such a permit. The permit shall not be transferable with respect to persons and/or locations.

Persons desiring a permit shall make written application on a form to be provided by the health officer. Such application shall include the applicant's full name and post office address, whether such applicant is an individual, firm, or corporation, and, if a partnership, the names and addresses of the partners, the location and type of the proposed frozen dairy foods plant or establishment; and the signature of the applicant or applicants. If the application is for a temporary frozen dairy foods plant or establishment, it shall also include the inclusive dates of the proposed operation.

Within three business days, or by agreed appointment with the permit seeker, the health officer shall make an inspection of the proposed frozen dairy foods plant or establishment to determine compliance with the provisions of this chapter. When inspection reveals that the applicable requirements of this chapter have been met, a permit shall be issued to the applicant by the health officer. (Res. 31103 § 3, 1965).

8.52.040 Examination of frozen dairy foods. At least one sample of frozen dairy foods shall be taken by the health officer from each retail frozen dairy foods processor, frozen dairy foods processor, frozen dairy foods manufacturer, and frozen dairy foods distributor as often as the health officer deems necessary. Such samples may be taken from freezers, from other processing equipment, from any receptacle containing mix or other dairy foods, and packaged frozen dairy foods. Such samples shall be taken as near to the end product served to the public as possible. The health officer shall take samples as often as he deems necessary for bacterial and coliform analysis or phosphatase tests in an official laboratory. Examinations may include such other bacteriological, chemical and physical determination as the health officer may deem necessary. Samples may be submitted by the health officer to an officially designated laboratory for analysis. All sample results from both official and officially designated laboratories shall be used to determine the compliance record of frozen dairy foods plants or establishments. After pasteurization, the bacterial plate count of the mix at the place of manufacture shall not exceed twenty-five thousand per gram, nor shall the coliform count exceed five per gram. Before delivery to the consumer, no frozen dairy food shall have a bacterial plate count exceeding fifty thousand per gram, nor a coliform count exceeding ten per gram. The bacterial plate count of water in dipper wells shall not exceed fifty thousand per milliliter nor shall the coliform count exceed ten per milliliter. During delivery and storage, the temperature of mix and frozen dairy foods shall not exceed

forty degrees Fahrenheit; provided, that soft-serve mix held in the reservoirs of soft-serve dispensing equipment prior to use shall not exceed forty-five degrees Fahrenheit. In the case of a positive phosphatase test on mix or frozen dairy food, the probable cause shall be determined and corrected to the satisfaction of the health officer before the mix is frozen or the frozen dairy food is sold. Bacterial counts, coliform determination, phosphatase test, and other laboratory or screening tests shall conform to the procedures in the latest edition of "Standard Methods for the Examination of Dairy Products" of the American Public Health Association, a copy of which is on file in the office of the director of Public Health.

If any test made by the health officer is beyond the limits specified herein, he shall notify the person concerned. He shall then take an additional sample within a reasonable period of time, but not before a lapse of three days. Should this sample also be beyond the limits specified herein, the health officer shall send a written notice thereof to the person concerned. The operator shall then be required to furnish, and have analyzed at his own expense, additional samples of frozen dairy foods or mix, not to exceed two per week, in accordance with instruction of the health officer. The cost of this analysis shall be paid for by the operator of the establishment.

Such samples shall be furnished until three out of four consecutive bacterial counts, coliform counts, or cooling temperatures of mix or frozen dairy foods taken on separate days are within the limits specified herein. Failure to provide such samples and to provide for submission of the results of the laboratory examinations to the health officer shall constitute a violation of this chapter. Failure to furnish samples as required herein shall not be a violation of this chapter if frozen dairy foods or mix are no longer sold or offered for sale. Failure to meet the required standards in three out of four of the additional samples taken shall call for a suspension warning to the person concerned, followed by additional samples as provided above. Three such suspension warnings to one person within any twelve-month period shall be cause for suspension by the health officer of the establishment permit, until evidence is submitted that the establishment can comply with the minimum requirement of the resolution.

The health officer, at his discretion, may require the manager, operator, or any employees of a frozen dairy foods establishment to attend a training course in frozen dairy food sanitation and machine operation, in the event said manager, operator, or any employee of a frozen dairy foods establishment is determined by the health officer to be the cause for a failure to meet the required standards in three out of four of the additional samples taken, as heretofore described. The class schedule shall not exceed fifteen hours in length, nor shall attendance be required if the person or persons involved have attended such a class within twelve months. (Res. 31103 § 4, 1965).

8.52.050 Sanitation standards. Frozen dairy foods plants and frozen dairy foods processors shall comply with the standards specified in Section 7 of the U.S. Public Health Service "Frozen Desserts Ordinance and Code," a copy of which is on file in the office of the director of Public Health.

Retail frozen dairy foods processors, and frozen dairy foods distributors shall comply with the sanitation standards provided in King County Resolution No. 28938, Section 2 through 6, inclusive.

All freezers and other processing equipment installed after the effective date of this resolution shall comply with the standards of the National Sanitation Foundation for soft-serve and shake machines and related equipment used in frozen dairy food establishments. Frozen dairy food plant equipment shall comply with the standards of the 3A Standards Committee for dairy equipment or additional standards as may hereafter be determined as acceptable by the health officer. Approval of specific equipment by the National Sanitation Foundation or the 3A Standards Committee shall constitute compliance with their standards. (Res. 31103 § 7, 1965).

8.52.060 Transferring and dispensing frozen dairy foods. Except as permitted by the health officer, no person shall transfer frozen dairy foods from one container to another on the street, or in any vehicle or store, or in any place except under sanitary conditions. (Res. 31103 § 8, 1965).

8.52.070 Inspection of dairy food establishments. The health officer exhibiting proper identification shall be permitted to enter at any reasonable time any frozen dairy food plant or establishment for the purpose of making inspections to determine compliance with this chapter. He shall be permitted to examine the records of the plant or establishment pertaining to mix and frozen dairy foods purchased, received, or used, and persons employed. (Res. 31103 § 9, 1965).

8.52.080 Personnel health and disease control. No person while affected with any disease in a communicable form, or while a carrier of such disease, or while afflicted with boils, infected wounds, sores, or an acute respiratory infection, shall work in any area of a frozen dairy foods plant or establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms or transmitting disease to other individuals; and no person known or suspected of being affected with any such disease or condition shall be employed in such an area or capacity. If the manager or person in charge of the plant or establishment has reason to suspect that any employee has contracted any disease in a communicable form or has become a carrier of such disease, he shall notify the health officer immediately. It shall be the responsibility of anyone operating a frozen dairy foods plant or establishment to see that all employees have valid food and beverage service worker's permits, issued under RCW Chapter 69.06, and the rules and regulations of the state Board of Health. It is unlawful for anyone to work in a frozen dairy food plant or establishment without a valid food and beverage service worker's permit. Such permits shall be issued by the Seattle-King County Department of Public Health and signed by the local health officer or his authorized representative. All applicants for such a permit or renewal thereof shall pay to such department a fee in the sum of two dollars.

When the health officer has reasonable cause to suspect possibility of disease transmission from any employee of a frozen dairy foods plant or establishment, the health officer shall secure a morbidity history of the suspected employee, or make such other investigations as may be indicated, and take appropriate action. The health officer may require any or all of the following measures:

- A. The immediate exclusion of the employee from handling mix, frozen dairy foods or their ingredients;
- B. The immediate exclusion of the mix or frozen dairy foods concerned from distribution and use; and
- C. Adequate medical and bacteriological examination of the person, or his associates, and of his and their body discharges. (Res. 31103 § 10, 1965).

8.52.090 Enforcement. The director of the Seattle-King County Department of Public Health is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 2910 § 2(part), 1976; Res. 31103 (part), 1965).

8.52.100 Dairy food plants. All frozen dairy foods plants from which mix or dairy foods are supplied to the county, which are hereafter constructed, reconstructed, or extensively altered, shall conform in this construction to the requirements of this chapter. Properly prepared plans for all frozen dairy foods plants which are hereafter constructed, reconstructed, or extensively altered shall be submitted to the health officer for approval before work is begun, and signed approval shall be obtained from the health officer. (Res. 31103 § 12, 1965).

Chapter 8.56 PUBLIC AND SEMIPUBLIC SWIMMING POOLS

Sections:

- 8.56.010 Definitions.
- 8.56.030 Enforcement.
- 8.56.040 Retroactivity.
- 8.56.050 Permit to operate required - Application - Issuance.
- 8.56.060 Plans and specifications for construction, alteration or renovation.
- 8.56.070 Maintenance required.
- 8.56.080 Operation, maintenance and use responsibility.
- 8.56.090 Water quality.
- 8.56.100 Disinfection.
- 8.56.110 Recirculation and filtration.
- 8.56.120 Waste.
- 8.56.130 Cross-connections.
- 8.56.140 Operating records.
- 8.56.150 Alternate materials, equipment or procedures.
- 8.56.160 Severability.

8.56.010 Definitions. Certain words and phrases used in this chapter, unless otherwise clearly indicated by their context, mean as follows:

- A. "Approved" means approved in writing by the director of Public Health.
- B. "Director of Public Health" means the director of the Seattle-King County Department of Public Health or his authorized representative.
- C. "Swimming pool" means any structure, basin, chamber, or tank containing an artificial body of water for swimming, diving, or recreational bathing and having a depth of two feet or more at any point, and including all facilities incident thereto.
- D. "Public swimming pool" means any swimming pool, together with buildings and appurtenances in connection therewith which is available to the general public with or without payment of an admission charge for the use of

same; and includes any swimming pool which is fifteen hundred square feet or more in surface area, whether or not available to the general public; or any swimming pool not otherwise defined in this section.

E. "Semipublic swimming pool" means any swimming pool provided for and used by numbers of persons or multiple-family or cooperative groups such as, but not limited to, hotels, motels, trailer parks, apartments, subdivisions, community clubs, private clubs, institutions, or schools, the use of which is limited to such groups and their invited guests, and where the same is less than fifteen hundred square feet in surface area.

F. "Wading pool" means any artificial pool of water intended and constructed for wading purposes which is not over two feet in depth at any point.

G. "Spray pool" means any pool or artificially constructed depression intended for use by children, into which water is sprayed but is not allowed to pond in the bottom of the pool.

H. "Private pool" means swimming pool, wading pool or spray pool maintained by an individual, the use of which is confined to members of his family or invited guests. Private pools shall not be subject to the provisions of this chapter.

I. "Person" means any individual, or a firm, partnership, company, corporation, trustee, association, or any public or private entity.

J. "Permit holder" means the person to whom the permit is issued or his authorized agent. (Ord. 451 § 1, 1970).

8.56.030 Enforcement. The director of Public Health shall enforce this chapter, and for such purpose may establish rules and regulations consistent with this chapter and relating to such standards of construction, disinfection, recirculation, filtration, water quality, and waste disposal as are reasonably necessary to ensure safe and sanitary operation of public or semipublic swimming pools. The director of Public Health is authorized to enforce the provisions of this chapter and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions contained in Chapter 23.04. (Ord. 2910 § 9, 1976).

8.56.040 Retroactivity. The provisions of this chapter apply equally to new and existing public or semipublic swimming pools, wading pools, and spray pools; provided, that it shall not make unlawful any existing pool heretofore lawfully designed, constructed and equipped which is maintained and operated in compliance with this chapter. (Ord. 451 § 4, 1970).

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8.56.050 Permit to operate required - Application - Issuance. It is unlawful for any person to open for use, or allow or cause to be used any public or semipublic swimming pool for swimming or bathing purposes without having a current, valid permit to operate issued by the director of Public Health. Application for such permit accompanied by an annual fee of seventy-five dollars shall be made in writing to the director of Public Health on a form to be provided by him; provided, that the fee for any initial permit to operate shall be prorated on the basis of one-twelfth the annual fee for each remaining month in the year; and provided that in any subsequent calendar year that a permit is required by the terms of the ordinance codified herein, and the public or semipublic swimming pool is operated for less than six months of the calendar year, the permit fee shall be thirty-seven dollars and fifty cents. The director of Public Health shall inspect the proposed public or semipublic swimming pool and, upon determination that such swimming pool complies with applicable rules and regulations and the provisions of the ordinance codified herein, shall issue a permit to operate to such applicant. Permits to operate shall expire on December 31st of the year for which issued and shall be renewable upon like application and payment of the annual fee. Permits shall be valid only as to the swimming pool for which issued, but upon application may be transferred without charge from person to person. Permits shall be posted conspicuously on the premises for which issued and shall be protected from the weather. (Ord. 1057 § 1, 1971; Ord. 451 § 5(A), 1970).

8.56.060 Plans and specifications for construction, alteration or renovation. A. No person shall construct, alter or renovate, or commence construction, alteration, or renovation of any public or semipublic swimming pool, wading pool, spray pool, or appurtenances thereto, without first having obtained the approval of the director of Public Health of plans and specifications for any such construction, alteration or renovation. Such plans and specifications shall be submitted to the director of Public Health in duplicate and in the case of new pools shall be prepared by an architect or professional engineer qualified in the proposed work and licensed to practice such profession under the laws of the state of Washington. Such plans shall be accompanied by a plan review fee based on the following schedule:

New pool	\$75.00
Renovation (including extensive changes in equipment, piping or pool structure costing in excess of \$1500.00	50.00
Alteration (including change of filtration equipment, pumps, or other mechanical equipment)	10.00

Plans shall be drawn to scale and accompanied by specifications containing details on all recirculation and chemical equipment, including pumps, disinfection equipment, chemical feeders, filters, meters, strainers, overflow channels and/or skimming facilities and related equipment so as to enable a comprehensive engineering review of such plans and specifications including piping and hydraulic details. If upon examination of such plans and specifications, the director of Public Health finds that the proposed construction, alteration or renovation will comply with the provisions of this chapter and applicable rules and regulations established in accordance herewith, he shall approve the same; provided, that such approval may be conditioned upon the making of such modifications in such plans and specifications as the public health or safety may require.

B. The construction, alteration or renovation of any public or semipublic swimming pool, wading pool, spray pool, or appurtenances thereto shall be made in accordance with approved plans and specifications therefor; provided, that changes or modifications in such plans and specifications consistent with the public health and safety may be made with the written approval of the director of Public Health. Upon completion of any such construction, alteration, or modification, the owner or operator of such pool, or the agent of either, shall notify the director of Public Health of its readiness for inspection. No such pool shall be opened for use or allowed or caused to be used until inspected by the director of Public Health and found to be in compliance with the provisions of this chapter and applicable rules and regulations established in accordance herewith. (Ord. 451 § 6, 1970).

8.56.070 Maintenance required. All public or semipublic swimming pools, spray pools, wading pools, and all components thereof and appurtenances thereto and premises thereof shall be maintained in a clean and sanitary condition at all times such pool is open to bathers. (Ord. 451 § 7(A), 1970).

8.56.080 Operation, maintenance and use responsibility. The permit holder shall be responsible for the maintenance, operation and use of the public or semipublic swimming pool for which such permit is issued, and shall provide one or more operators or attendants at such times as shall be necessary for the maintenance and operation of such swimming pool in compliance with the provisions of this chapter and applicable rules and regulations established in accordance herewith. All such operators and attendants shall be familiar with the equipment and appurtenances of such swimming pool and the principles of pool operation. (Ord. 451 § 7(B), 1970).

8.56.090 Water quality. The water in all public or semipublic swimming, wading and spray pools shall at all times meet such standards of chemical, physical and bacteriological quality as the director of Public Health shall establish to ensure that persons using such pools shall not be exposed to toxic or irritating chemical conditions or disease producing organisms. (Ord. 451 § 8, 1970).

8.56.100 Disinfection. A disinfecting process or procedure having a minimum free chlorine residual of 0.4 ppm or such other process or procedure approved by the director of Public Health for the purpose of ensuring adequate and continuous disinfection of water throughout the pool during the period such pool is in use shall be used in all public or semipublic swimming and wading pools. (Ord. 451 § 9, 1970).

8.56.110 Recirculation and filtration. Recirculation and filtration equipment adequate to recirculate and filter the entire volume of water at least once every six hours shall be provided for every public swimming pool, and at least once every twelve hours for every semipublic swimming pool, or wading pool, or more often in any such pool subject to excessive contamination, and such equipment shall be in operation at all times such pool is open for use; provided, that such recirculation and filtration equipment need not be provided for a flow-through pool in which the supply of water meets the water quality requirements of Section 8.56.090, the disinfection requirements of Section 8.56.100, and is sufficient to provide a complete change of water within the period required by this section, and the introduction of such water supply into the pool is accomplished by the same type of inlet design required for recirculation pools. (Ord. 451 § 10, 1970).

8.56.120 Waste. All water from backwash, filter residues, and other waste in any public or semipublic swimming pool, wading pool or spray pool shall be disposed of in a safe and sanitary manner approved by the director of Public Health. (Ord. 451 § 11, 1970).

8.56.130 Cross-connections. No piping arrangement shall be installed or used in any public or semipublic swimming pool, wading pool, or spray pool, which under any condition will permit sewage or waste water to enter the recirculation system or the pool, or which will permit water from the recirculation system or the pool to enter the potable water supply or make-up water supply. (Ord. 451 § 12, 1970).

8.56.140 Operating records. At all public or semipublic swimming pools and wading pools, complete daily records shall be kept of the times each filter is backwashed or cleaned, and of the results of all tests made as to water quality and disinfectant residual. Such records shall be made available at any reasonable time for examination by the director of Public Health. (Ord. 451 § 13, 1970).

8.56.150 Alternate materials, equipment or procedures. For the purpose of evaluating equipment, materials, or procedures, or to meet any temporary emergency condition, the director of Public Health may, consistent with the public health and safety, permit the use of materials, equipment and procedures not specifically prescribed by this chapter or rules and regulations established in accordance herewith. (Ord. 451 § 14, 1970).

8.56.160 Severability. The several provisions of this chapter are declared to be separate and severable and the invalidity of any clause, sentence, paragraph, subdivision, section or portion of this chapter or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this chapter or the validity of its application to other persons and circumstances. (Ord. 451 § 16, 1970).

Chapter 8.60 CONSUMER PROTECTION FOR PURCHASERS OF REAL PROPERTY¹

Sections:

- 8.60.010 Vendor - Disclosure form required.
- 8.60.020 Vendor - Disclosure form - Contents.
- 8.60.030 Vendor - Disclosure and alternative waiver forms - Filing.
- 8.60.040 Enforcement.

8.60.010 Vendor - Disclosure form required. Before the prospective purchaser of any parcel of real property to be used for residential or business purposes, except that property being transferred by court order, and not served by an approved public or an approved private sewer system has entered into a binding agreement to purchase, the prospective vendor shall disclose in a writing, in the form (called the disclosure form) prescribed in this chapter whether, prior to execution of the disclosure form, the parcel has been subjected to a percolation test which meets the standards imposed by Chapter 13.08

¹[For water and sewer regulations, see Title 13 of this code.]

(or any subsequent ordinance altering these standards) and rules issued pursuant thereto; provided, that, in the alternative, the prospective purchaser in writing on the disclosure form may waive vendor's disclosure either unconditionally or upon the condition that the sale will not be closed unless the parcel is subjected to a percolation test which meets the above requirements.

If the parcel has been tested, the disclosure form shall disclose the date and the conclusions of the percolation test, and the prospective vendor must sign the form and represent that his statements are true. The disclosure form must be signed by the prospective purchaser and the date of his signature must be written on the form. If the prospective vendor had a test performed upon the parcel, a copy of the report of the licensed engineer or certificated system designer who performed that test must be attached to the disclosure form. If the prospective vendor has not had a percolation test performed upon the parcel, the vendor must sign a statement representing that fact and a statement either representing that he has no knowledge concerning the possibility of installing a septic tank system on the parcel or indicating what knowledge he has. (Ord. 1490 § 1, 1973).

8.60.020 Vendor - Disclosure form - Contents. Vendor's disclosure shall be substantially in the following form. The forms shall be printed and designed in a manner that facilitates comprehension and ease of reading by the prospective purchaser.

"(DISCLOSURE FORM)

"King County Ordinance No. requires the following disclosure or alternative waiver form be completed prior to entry into a binding agreement to purchase.

"NOTICE TO PURCHASER

"If there is no reasonable access to a public sanitary sewer system from the parcel you are thinking of buying, you must install a private sewer system approved by the King County Department of Health in order to build a house or any structure which will be used for human habitation. No building permits are issued for parcels which cannot have access to approved public or approved private sewer systems. No permit will be issued for and no septic tank systems may be located on this parcel unless it has been subjected to a percolation test within one year prior to application for a building permit. Even if a timely percolation test has been made, no permit will be issued and no septic tank system may be located on this parcel if the Department of Health has not approved the plan for and approved the installation of the private sewer system. Before you enter into an agreement to purchase this parcel, you should contact the King County Department of Health to determine the procedures for installing a private sewer system.

"Your seller may have had a percolation test made on the parcel by a registered civil or sanitary engineer or certificated sewage disposal system designer. If so, that fact and the conclusions of the test appear below.

"SELLER'S REPRESENTATIONS

"I. PERCOLATION TEST

Seller must complete either statement A or statement B as appropriate.

"A. My agent, a registered
(name of agent)

civil or sanitary engineer or certificated sewage disposal system designer, has conducted percolation tests on this parcel:
.....(legal description)

The percolation test was conducted on
(date)

From the tests, my agent concluded that a septic tank system be installed
(could or could not)

on this parcel in conformance with standards set by King County and in effect at the date of the test.
I represent that the statements above are true.

.....
(seller's signature)

.....
(date)

"B. No percolation tests have been conducted on this parcel:

.....
(legal description)

.....I have no knowledge material to a determination whether
a septic tank system may be installed on this parcel, except as follows:

.....
(to be completed by seller)

.....
I represent that the statements above are true.

.....
(seller's signature)

.....
(date)

"BUYER'S SIGNATURE

"I have read this statement and understand its contents.

.....
(Prospective purchaser's signature)

.....
(date)

"WAIVER (IN THE ALTERNATIVE)

"I have read this disclosure form and understand its contents. I waive vendor's disclosure []
unconditionally. (Or) [] upon the condition this sale will not be closed unless this parcel is subjected to a
percolation test which meets the requirements of the King County Department of Health.

"
(Prospective Purchaser's signature)

"
(date)

(Ord. 1490 § 2, 1973).

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8.60.030 Vendor - Disclosure and alternative waiver forms - Filing. Three copies of each disclosure or alternative waiver form must be prepared. One copy shall be retained by the prospective vendor; one copy shall be retained by the prospective purchaser. If the prospective purchaser enters into a binding agreement to purchase, the vendor shall file the third copy with the King County Department of Records and Elections when other documents are recorded. (Ord. 1490 § 3, 1973).

8.60.040 Enforcement. The director of the King County Department of Public Health is authorized to enforce the provisions of this chapter, ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 2910 § 2 (part), 1976: Ord. 1490 (part), 1973).

Chapter 8.64 DISPOSITION OF REMAINS OF INDIGENT PERSONS

Sections:

- 8.64.010 Definitions.
- 8.64.020 Policies.
- 8.64.030 Procedures.
- 8.64.040 Right of appeal.

8.64.010 Definitions. The following definitions shall apply in the interpretation and enforcement of this chapter:

- A. "Burial" means interment in a burial plot or an outer burial container, if required by the cemetery authority, and the recording of related documents, including the location of the remains.
- B. "Cemetery Authority" means the owner or operator of a licensed cemetery.
- C. "Cremation" means cremation and disposition of cremated remains, and recording of related documents including the location of the remains.
- D. "Crematory Authority" means the owner or operator of a licensed crematory.
- E. "Disposition of Remains" means either burial or cremation.
- F. "Estate" means all real and personal property of the decedent, including cash, certificates of ownership or other tangible assets.
- G. "Funeral Director" means the owner or operator of a licensed funeral home.
- H. "Indigent" means a person who dies without leaving means sufficient to defray the expense of disposition of the body.
- I. "Legally Responsible Representative" means the decedent's spouse, adult surviving children, surviving parents, surviving siblings or a person acting as representative of the decedent under the signed authorization of the decedent, pursuant to RCW 68.50.160.
- J. "Manager" means the designee of the manager of the prevention division, Seattle-King County department of public health.

K. "Mortuary Functions" means first call and pick up of the decedent; transportation of the decedent from the place of death to the mortuary and from the mortuary to a cemetery or crematory; required care of the decedent for timely disposition in compliance with State and local laws regarding care of dead human bodies, (e.g. disinfecting and embalming or refrigeration); provision of a container, as prescribed by law, for the transportation and, if necessary, the burial of the decedent; retention of custody of cremated remains until disposition is determined; disposition of cremated remains, if necessary; obtainment of authorization for the disposition of remains and the use of county funds; and completion of the death certificate.

L. "Payment Maximum Rates" means the limit of payment the county will authorize for cremation or burial services.

M. "Primary Legally Responsible Representative" means a legally responsible representative having the right to control the disposition of the remains of the decedent, pursuant to RCW 68.50.160; that is, only if, after due diligence, no surviving spouse can be located may a surviving adult child of the decedent serve as the primary legally responsible representative, and so on.

N. "Unclaimed" means that a legally responsible person or other person, church organization or other organization does not assume financial responsibility for disposition of the body. (Ord. 12938 § 1, 1997; Ord. 11073 § 2, 1993).

8.64.020 Policies. The county will provide funding for the disposition of the unclaimed remains of indigent persons who died in King County.

Disposition of remains at county expense will be by cremation except when the decedent cannot be identified, as verified by the medical examiner, or when the medical examiner, for purposes related to the work of the medical examiner's office, authorizes burial in lieu of cremation.

Prior to cremation or burial, the Funeral Director shall request authorization of payment for the disposition of indigent remains from the manager, pursuant to the procedures stated in K.C.C. 8.64.030. Payment maximum shall be for services rendered, not to exceed the following:

<u>SERVICE</u>	<u>PAYMENT MAXIMUM</u>
1. Mortuary Functions Prior to Cremation	\$325.00
2. Cremation	125.00
3. Mortuary Functions Prior to Burial	
4. Burial Only	200.00
5. Burial with Plot	600.00

350.

The rates shall be effective for deaths occurring between January 1 through December 31, 1998. These rates shall change annually on January 1, based on the local Consumer Price Index (CPI). The office of financial management shall be responsible for calculating and publishing such rate changes. Every five years the rates shall be reviewed for their appropriateness by the county council, beginning with the rates for 2003.

If other resources for disposition of the remains are available to the Funeral Director or become available at a later date, either from the decedent's personal effects or from some other source, the Funeral Director shall credit or reimburse the county, dollar for dollar, for payments authorized by the manager pursuant to this chapter.

Disposition of the unclaimed remains will be authorized by the primary legally responsible representative(s) or, in the absence of such authorization, by the county medical examiner.

The manager may authorize payment after disposition has taken place only if all of the following conditions are met:

1. Immediate disposition of the decedent's remains was required for public health reasons;
2. It was not possible to apply before the cremation or burial was performed; and
3. It is the first working day following the cremation or burial.

Multiple containers (caskets) may be placed in one grave at the discretion of the cemetery authority so long as otherwise permitted by law.

Beginning in 1998 and as needed thereafter, King County will purchase, at the price of a "Burial with Plot" as identified in this chapter, a cemetery plot to be used for the burial of remains whose cremation was funded by King County and for which no alternative instructions for disposition have been made, pursuant to WAC 98-40-080 or WAC 308-48-760. Each plot shall be purchased from a cemetery within King County chosen at random by the manager from a list of interested cemeteries. (Ord. 12938 § 2, 1997: Ord. 11073 § 3, 1993).

8.64.030 Procedures. A. Responsibilities of Funeral Director. The Funeral Director shall:

1. Determine that the decedent was indigent;
2. Attempt, with due diligence as determined by the manager, to locate a legally responsible representative of the decedent to claim the remains;
3. If one or more legally responsible representatives of the decedent are located but are unable to bear the costs of the disposition of the remains, request that an affidavit be signed by the primary legally responsible representative(s) stating that the cost of the disposition of the remains cannot be borne by the legally responsible representatives and authorizing the county's procedure for disposition;
4. If one or more legally responsible representatives are located, or are known to exist, but they refuse, either outright or by evasion, to assume responsibility for disposition of the remains and any of the primary legally responsible representatives refuses, either outright or by evasion, to sign the affidavit described in Subsection A.3, the Funeral Director shall submit an affidavit attesting to this;
5. Submit to the manager all documentation required by this chapter or by the Seattle-King County department of public health, including documentation of the inability of legally responsible representatives to bear the cost of disposition of the remains, in form satisfactory to the manager. This documentation must be submitted either prior to disposition or with further documentation to support authorization of payment after disposition, pursuant to K.C.C. 8.64.020. The form and documentation may be submitted by facsimile transmission if such transmission is followed by signed originals;
6. Perform mortuary functions and provide for cremation or burial, as approved for payment by the manager;
7. Submit an itemized request for payment (invoice) to the manager.

B. Responsibilities of the Crematory Authority. The Crematory Authority shall:

1. Receive the remains for cremation, as requested by the Funeral Director and as authorized by the primary legally responsible representative(s) or the Medical Examiner;
2. Perform the cremation and related services;
3. Submit an itemized request for payment (invoice) to the manager.

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- C. Responsibilities of the Cemetery Authority. The Cemetery Authority shall:
1. Receive the remains for burial, as requested by the Funeral Director and as authorized by the Medical Examiner;
 2. Perform the burial and related services;
 3. Submit an itemized request for payment (invoice) to the manager.
- D. Responsibilities of the medical examiner. The King County medical examiner shall:
1. In the absence of authorization of the county's procedure by the primary legally responsible representative(s), authorize disposition of the unclaimed indigent remains by either cremation or burial;
 2. Forward authorization to the manager.
- E. Responsibilities of the prevention division of the Seattle-King County department of public health. The manager shall:
1. Secure authorization from the medical examiner for disposition of unclaimed remains;
 2. Authorize or deny payment for services on the Disposition of Indigent Remains Record Form as soon as possible, determining the amount of county funds to be approved, pursuant to K.C.C. 8.64.020;
 3. Process invoices for payment within three working days of their receipt;
 4. Distribute copies of the completed Disposition of Unclaimed Indigent Remains Record Form to the Funeral Director, Crematory Authority (if applicable), Cemetery Authority (if applicable), client file in the vital statistics office and to the department of public health fiscal section. (Ord. 12938 § 3, 1997; Ord. 11073 § 4, 1993).

8.64.040 Right of Appeal. If payment to the Funeral Director or the Cemetery Authority is denied by the manager, the Funeral Director, Crematory Authority or Cemetery Authority may appeal to the manager of the prevention division of the Seattle-King County department of public health. (Ord. 12938 § 4, 1997; Ord. 11073 § 5, 1993).

